The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

JOURNAL

OF

THE COUNCIL,

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF NEBRASKA.

TENTH SESSION:

BEGUN AND HELD AT THE CITY OF OMAHA,
JANUARY 5, 1865.

PUBLISHED BY AUTHORITY.

Library of Congress
1867
City of Washington.

CITY OF OMAHA.
TAYLOR & McCLURE, PUBLIC PRINTERS.
1865.

J87
N2
18656

JOURNAL OF THE COUNCIL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF NEBRASKA;

BEGUN and held at the Capitol, in the City of Omaha, in the Territory of Nebraska, on Thursday the 5th day of January, A. D. 1865, being the TENTH regular session of the Legislative Assembly, held under the Organic Act.

This being the day fixed by law for the meeting of the Legislature, the Council assembled at two o'clock, P. M.

On motion of Mr. Allen, John S. Bowen was appointed Chief Clerk, *pro tem.*

Mr. Holladay nominated O. P. Mason for President, *pro tem.*
Mr. Porter nominated B. E. B. Kennedy for President, *pro tem.*
The vote being taken *viva voce,*
Mr. Mason received seven votes;
Mr. Kennedy received six votes;
Mr. Mason having received a majority of all the votes cast was declared duly elected.

Nominations for the committee on credentials being in order,
Mr. Kennedy nominated Mr. Porter;
Mr. Holladay nominated Mr. Miller;
Mr. Bennett nominated Mr. Griffey;
Mr. Chapman nominated Mr. Allen;
Mr. Holladay nominated Mr. McCasland;
Mr. Kennedy nominated Mr. Albertson.
On motion of Mr. Chapman the nominations were closed
Messrs. Porter and Holladay were appointed tellers.
The vote being taken by ballot, resulted as follows:
Mr. Porter received seven votes;
Mr. Albertson received six votes;
Mr. Griffey received six votes;
Mr. Miller received five votes;
Mr. McCasland received five votes;
Mr. Allen received four votes.

Messrs. Porter, Albertson and Griffey having received a majority of all the votes cast, were declared duly elected.

Mr. Porter, from the committee on credentials, made the following report:

The undersigned, committee on credentials, beg leave to report that upon an examination of credentials, the following named individuals appear to have been elected members of the Council, and entitled to seats on this floor:

First District, composed of the counties of Dakota, Dixon, Cedar and L'Eau qui Court—THOMAS L. GRIFFEY.

Second District, composed of the counties of Washington, Burt and Cuming—EDWIN A. ALLEN.

Third District, composed of the county of Douglas—JOHN R. PORTER and B. E. B. KENNEDY.

Fourth District, composed of the counties of Sarpy and Dodge—CORRINGTON BLANCHARD.

Fifth District, composed of the counties of Platte, Monroe, Merrick, Hall, Buffalo, Kearney and Lincoln—ISAAC ALBERTSON.

Sixth District, composed of the county of Cass—J. W. CHAPMAN.

Seventh District, composed of the counties of Cass, Lancaster, Saline and Seward—J. G. MILLER.

Eighth District, composed of the county of Otoe—OLIVER P. MASON and JOHN B. BENNETT.

Ninth District, composed of the county of Nemaha—ANDREW S. HOLLADAY.

Tenth District, composed of the county of Richardson—OLIVER P. BAYNE.

Eleventh District, composed of the counties of Pawnee, Gage, Johnson, Clay and Jones—J. N. MCCASLAND.

All of which is respectfully submitted,
JOHN R. PORTER,
THOS. L. GRIFFEY,
ISAAC ALBERTSON.

On motion of Mr. Kennedy the report was accepted and the committee discharged.

On motion of Mr. Miller the report was adopted.

On motion of Mr Porter a committee of three was appointed to wait upon the Hon A. S. Paddock, Secretary of the Territory, and request him to administer the oath of office to the members.

Messrs. Porter, Allen and Miller were appointed said committee.

The committee reported the Secretary present, who thereupon administered the oath.

On motion of Mr. Kennedy the Council proceeded to the permanent organization of the Council.

Mr. Holladay nominated O. P. Mason for President.

Mr Bennett moved that Mr. Mason be elected by acclamation,

Which was unanimously agreed to.

Mr. Allen nominated John S. Bowen for Chief Clerk.

Mr. Bennett moved that Mr. Bowen be elected by acclamation.

Which was unanimously agreed to.

Nominations for Assistant Clerk being in order,

Mr. Kennedy nominated Charles S. Cox;

Mr. McCasland nominated William W. Morgan;

Mr. Kennedy moved that the election be by ballot.

Carried.

Messrs. Miller and Porter were appointed tellers.

William W. Morgan received seven votes;

Charles S. Cox received six votes.

Mr. Morgan having received a majority of all the votes cast was declared duly elected.

Nominations for Sergeant-at-Arms being now in order,

Mr. Holladay nominated Charles Bryan;

Mr. Kennedy nominated Samuel Gamble;

Mr. Gamble received nine votes;

Mr. Bryan received two votes;

Mr. Cox received one vote.

Mr. Gamble having received a majority of all the votes cast, was declared duly elected.

Nominations for Door keeper being now in order,

Mr. Holladay nominated Charles Bryan;

Mr. Porter nominated Wiley B. Dixon;

Mr. Blanchard nominated William May;

Mr. Bryan received seven votes;

Mr. Dixon received four votes;

Mr. May received one vote.

Mr. Bryan having received a majority of all the votes cast, was declared duly elected.

Nominations for Fireman being in order,

Mr. Kennedy nomimated Barnard Riley;

Mr. Porter nominated Philo Judson;

Mr. Riley received two votes;

Mr. Judson received ten votes.

Mr. Judson having received a majority of all the votes cast, was declared duly elected.

Charles Ulrey, Archie Powell, Reese Lemon and Beecher Higbee were put in nomination for Pages.

Master Ulrey received one vote;

Master Powell received ten votes.

Master Powell having received a majority of all the votes cast, was declared duly elected.

The Council proceeded to ballot for the second Page.
Master Ulrey received five votes;
Master Higbee received three votes;
Master Lemon received five votes;
No one receiving a majority, the Council proceeded to a third ballot.
Master Ulrey received four votes;
Master Higbee received three votes;
Master Lemon received five votes;
No one receiving a majority, the Council proceeded to a fourth ballot.
Master Ulrey received seven votes;
Master Lemon received six votes.

Master Ulrey having received a majority of all the votes cast, was declared duly elected.

The Reverend Messrs. Kuhns and Van Antwerp were placed in nomination for Chaplain.
Mr. Kuhns received twelve votes;
Mr. Van Antwerp received one vote.
Mr. Kuhns having received a majority of all the votes cast, was declared duly elected.

On motion, Messrs. Kennedy and Holladay were appointed a committee to wait upon the Secretary of the Territory and request him to administer the oath of office to the officers elected.

The Secretary appeared and administered the oath of office to the President, Chief Clerk, Assistant Clerk, Sergeant-at-Arms, Door keeper, Fireman and one of the Pages.

Mr. Allen moved that the Rules of the Council of last session, as printed, be adopted for the government of Council the present session until otherwise ordered.

Which was agreed to.

The Rules, as adopted by the Council, will be found at the conclusion of the Documents accompanying the Governor's Message.—[CLERK OF COUNCIL.

On motion, Messrs. Porter, Allen and Miller were appointed a committee to inform the House that the Council is now organized and ready to proceed to business.

The committee reported that they had discharged that duty.

On motion, the members drew their numbers and selected seats.

Mr. Chapman offered the following resolution:

Whereas, It has pleased Divine Providence to remove from the scenes of this life E. P. Brewster Esq., who has for several years been connected with this body as Private Secretary of his Excellency Governor Saunders,

And Whereas, His funeral services will be attended at the Congregational Church in this city, on Friday, the 6th inst, at 11 o'clock, A. M., therefore, *Be it Resolved*, That when this House adjourn it be until Saturday the 7th inst. at 10 o'clock, A. M., and that the members of this house attend the funeral in a body.

Mr. Kennedy moved that the rules be suspended, and the resolution read a second time, now.

Which was agreed to.

The resolution, together with the preamble, was unanimously adopted.

Mr. Allen moved that the Sergeant-at-Arms be instructed to procure desks for the reporters of the two city papers.

Which was agreed to.

On motion of Mr. Kennedy the Council adjourned until ten o'clock on Saturday morning next.

COUNCIL CHAMBER,
Saturday, January 7th, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll call.

Journal read and approved.

The following notices of bills were given:

By Mr. Kennedy,

Authorizing Henry Kruse, his associates and successors, to erect and maintain a milldam on the Elkhorn river.

By Mr. Holladay,

To amend an act entitled "An act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.

By Mr. Allen,

To change the time of returning venires of Petit Jurors in the 3rd Judicial District.

Also,

Relative to official bonds of county commissioners and county clerks.

By Mr. Bennett,

For a general herd law, and to facilitate and encourage the growth of timber and live fences.

Also,

To amend the school Law.

On motion of Mr. Holladay the Council proceeded to the election of Enrolling and Engrossing Clerks.

Nominations for Engrossing Clerk being in order,
Mr. Kennedy nominated Charles S. Cox;
Mr. Holliday nominated William H. Miller;
Mr. Blanchard nominated Stephen D Bangs.
Mr. Holladay moved that the elections be by ballot,
Which was agreed to.
Messrs. Porter and Chapman were appointed tellers.
Mr. Cox received two votes;
Mr. Miller received eight votes;
Mr. Bangs received one vote.

Mr. Miller having received a majority of all the votes cast, was declared duly elected.

Nominations for Enrolling Clerk being in order,
Mr. Allen nominated Caspar Yost;
Mr. Porter nominated Charles S. Cox.
Mr. Yost received seven votes;
Mr. Cox received five votes;
Mr. Williams received one vote.

Mr. Yost having received a majority of all the votes cast, was declared duly elected.

The President announced the following standing committees:

Judiciary—Messrs. Kennedy, Allen and Griffey.
Finance—Messrs. Porter, Miller and McCasland.
Education—Messrs. Miller, Holladay and Bennett.
Federal Relations—Messrs. McCasland, Holladay and Blanchard.
Military Affairs—Messrs. Bayne, McCasland and Porter.
Highways, Bridges and Ferries—Messrs. Blanchard, Albertson and Bayne.
Expenditures—Messrs. Miller, Chapman and Porter.
Corporations—Messrs. Chapman, Holladay, and Kennedy.
Library—Messrs. Griffey, Miller and Albertson.
Public Buildings—Messrs. Allen, Holladay and Albertson.
Elections—Messrs Albertson, McCasland and Chapman.
Counties—Messrs. Allen, Bayne and Blanchard.
Printing—Messrs. McCasland, Allen and Bennett.
Agriculture—Messrs. Bennett, Miller and Holladay.
Enrolled and Engrossed Bills—Messrs. Holladay and Griffey.

On motion a committee of two, consisting of Messrs. Chapman and Kennedy, was appointed to wait upon the Secretary and ascertain what arrangements have been made in reference to postage.

The following communication was received from the Secretary of the Territory:

SECRETARY'S OFFICE,
Omaha, Nebraska, Jan. 7, 1865.

The Honorable the President of the Council,

SIR—I have to inform you that arrangements have been made with the Post Master at this city, for franking all mail matter sent or received by the members of your honorable body during the present session of the Legislative Assembly.

Very respectfully, your obedient servant,

A. S. PADDOCK, *Secretary.*

Mr. Chapman moved that the Council take a recess of ten minutes.
Which was agreed to.

AFTER RECESS.

On motion of Mr. Kennedy the Sergeant-at-Arms was instructed to procure a mail-bag for the use of the Council.

Mr. Allen moved that a committee of two be appointed to request the Secretary to administer the oath of office to the Enrolling and Engrossing Clerks and to one of the Pages.
Which was agreed to.
Messrs. Allen and Holladay were appointed said committee.

The Secretary appeared and administered the oath of office to the Enrolling and Engrossing Clerks and Page.

A committee from the House appeared and informed the Council that the House was organized and ready to proceed to business.

Mr. Chapman moved that a committee of two be appointed to unite with a like committee of the House and inform the Governor that both houses are organized.
Which was agreed to.
Messrs. Chapman and Kennedy were appointed said committee.

A message from the House, by Mr. Taffe, their Chief Clerk.

Mr. President:

I am instructed by the House to inform your honorable body that Messrs. Crow, Imlay and Emry have been appointed a committee, to act in conjunction with a like committee of the Council, to wait upon His Excellency, the Governor, and inform him that the two houses are fully organized and ready to receive, in joint convention, any communication he may have to make to them.

And the concurrence of the Council is respectfully requested.

Mr. Chapman, from the joint committee, made report that they had performed the duty devolved upon them, and that the Governor was ready to meet the two houses, in joint convention, at any time.

A committee from the House appeared and invited the Council to take seats within the bar of the House, to hear any communication His Excellency, Governor Saunders, may be pleased to make to the Legislative Assembly.

On motion of Mr. Holladay the Council proceeded to the Hall of the House to meet in joint convention with that body.

JOINT CONVENTION.

The Convention was called to order by the President of the Council.

Mr. Allen moved that a committee of five—two on the part of the Council, and three on the part of the House—be appointed to wait upon the Governor and inform him that the Legislative Assembly, in joint convention, was ready to receive any communication which he might be pleased to make.

Which was agreed to.

The President accordingly appointed Messrs. Allen and Porter of the Council, and Messrs. Maxwell, Walther and Crouch, of the House.

The committee returned, and the Governor was announced, and upon being presented to the Convention, by the President, His Excellency delivered the following message:

GOVERNOR'S MESSAGE.

Gentlemen of the Council,
and House of Representatives:

It is with great pleasure that I again greet you, as the immediate representatives of the people of Nebraska, in your capacity as Legislators, on the occasion of your annual meeting. Since you closed your labors a year ago, events, fraught with the most momentous consequences, not only to our common country but to mankind, have occurred, in rapid succession. The great struggle for the maintenance of the integrity of our nationality, and the perpetuity of our free institutions, continues. Our own Territory, hitherto exempt from the commotions and calamities incident to a state of war, has been invaded, and our peaceful homes threatened with desolation by the ruthless savages of the Plains. Yet, in reviewing the events of the year which has just closed, we have the greatest reasons for the expression of profound gratitude to the SUPREME RULER for our signal triumphs over the public enemy—for our comparative exemption from the horrors and atrocities attendant upon Indian warfare and for our general prosperity as a people. The rebel armies have been repeatedly defeated, with terrible losses of men and material, and the lines of the insurgents have been driven in at every point east of the Mississippi; while the Atlantic and Gulf coasts have been almost hermetically sealed by our powerful and efficient Navy, against the piratical commerce which, during the earlier history of the Rebellion, was so successfully carried on between domestic traitors and foreign sympathizers, stimulated by avarice and cupidity. West of the Mississippi, if our success has not been so decided and gratifying, we have at least steadily maintained our position, and every attempt of the rebel armies to invade the loyal States, has been signally and disastrously defeated. During this period, (if we except that of Arkansas on the Red River,) the Union armies have met with no serious repulse. At minor points, trivial reverses have occurred to our arms, in a few instances; but the general result has been decidedly favorable to the great cause of Union and Freedom

This war for the preservation of our National Life, although protracted through more than three years of bloody strife, is at length happily drawing to a close; and recent events would seem to indicate, with almost mathematical certainty, that the end cannot be far in the future. Slowly, but steadily and surely, the Union armies are exhausting the strength and resources of the rebel forces. Their lines are being rapidly contracted—their ranks decimated, beyond the possibility of recuperation, and the spirit of the misguided masses has been broken. To-day the so-called confederacy cannot rightfully claim to control one-half the territory embraced within its limits at the commencement of the Rebellion. Our Armies and Navies almost encompass them, while one of our greatest Generals, with his victorious columns, has marched through the very heart of the Empire State of the South, from the interior to the coast, and captured the most populous and important commercial city in the rebellious district, almost without opposition. These significant facts leave no room to doubt that at an early period the supremacy of the Constitution and the Laws will be restored in every portion of the country—thus establishing human liberty alike in the South and in the North, and vindicating the capacity of the people for self-government.

The result of the recent election for President and Vice-President of the United States, indicates that the people fully comprehend the character of the contest, and that they are ready to make any sacrifice of men and treasure necessary to secure ultimate triumph. To the friends of the National Administration it affords peculiar cause of congratulation; indicating, as it does, that the American people endorse the principles and policy which have controlled the President in administering the affairs of the General Government in the midst of the most gigantic and formidable Rebellion known to history.

THE INDIAN WAR.

I congratulate you on the termination of the Indian war on our own frontier, which for a time, since the close of your last session, disturbed the quiet which had hitherto prevailed in our Territory, and created the most serious apprehensions for the safety of the exposed settlements on our western and northern borders. From facts which have come to the knowledge of this department, it is deemed certain that these Indian depredations and disturbances were the result of combined action between several tribes, instigated, aided and counseled by lawless white men who hoped to share in the plunder which would result from their robberies and massacres. It is by no means certain that these coadjutors of the savages were not the emissaries of the rebel government, prompted to their inhuman work by the hope of creating a diversion in favor of their waning cause in the South.

Portions of the Sioux, Cheyennes, Arapahoes, Kiawas, Camanches and Apaches, were evidently confederated for the purpose of attacking the frontier settlements and emigrant trains in Nebraska, Kansas, Colorado and South-eastern Idaho. Suddenly and almost simultaneously, without the slightest warning, ranchmen and emigrants were attacked at no less than four different points, remote from each other, thus proving, beyond the possibility of doubt, that the plan had been matured, and the co-operation of different tribes secured in the work of destruction.

The necessities of the General Government had caused the withdrawal, from time to time, of nearly all the United States troops stationed in this Territory for its defence; so that when the outbreak commenced we possessed no adequate force to suppress it. The few United States volunteers within reach did their duty nobly The Nebraska First, rendered illustrious by so many brilliant achievements in the South, and the Second Nebraska Veteran Cavalry, promptly responding to the call of the Executive, moved at once to the post of danger; and the Militia, with equal alacrity, hastened to the relief of their brethren on the more exposed frontier, and the emigrants upon the plains.

These efforts were crowned with substantial success. The feeble settlements were protected from the impending danger,—the Indians, with very few exceptions, were driven from our border, and the various lines of communication between the Missouri river and the mountains and mining districts of the West, were again opened to the traveler and emigrant. It is to be regretted that these savages were not more severely punished, so as to effectually deter them from a repetition of their barbarities in the future. But considering the limited number of troops available for the purpose, the result of the campaign furnishes the people of the Territory abundant reason for congratulation.

PAY OF THE MILITIA.

The militia engaged in repelling these hostile savages, were provided with subsistence, transportation, ammunition, and ordnance stores, by the Federal military authorities; but in no case have they received compensation for their personal services or for services of the horses furnished by them. I therefore urgently recommend that at an early period of your present session you provide by law for their full and just compensation for these services. Congress will doubtless promptly re-imburse the Territory for these expenses, when the question shall be properly presented for its action; and I therefore respectfully suggest that provision be made for an early settlement of these just claims, in order that Congress may be enabled to act upon them before the close of the present session.

OUR FINANCES.

In calling your attention to those subjects which more immediately effect and interest the people of the Territory, it is in the first place appropriate and proper that I should refer to our financial affairs; and I do so with pride and pleasure, when I contrast our present condition with what it was a few years ago. *Then* the Territorial indebtedness was very little if any less than it now is, with at least three-fourths of it wholly unprovided for by any available resources whatever. *Now*, as will be seen by reference to the Auditor's report, every dollar of our Territorial debt is provided for, and most of it in process of collection.

According to the Auditor's and Treasurer's reports which are herewith submitted the whole amount of the outstanding debt is as follows:

Outstanding warrants and certificates unredeemed on the 15th of December, 1864	18,144 37
Am't of bonds (due in 1872,)	28,450 00
Making, together	$46,594 37
To which add—estimated interest on Warrants and Bonds	9,127 74
And contingent appropriations of last Legislature, not yet drawn for	2,137 25
Making our total indebtedness	$57,859 36
To meet this indebtedness there is in the hands of the Territorial Treasurer,	
Cash belonging to the General Fund	$ 883 37
" " " " Sinking " and to be applied in reducing oustanding bonds	6,248 40
Taxes now due and in process of collection	52,256 95
Funds in hands in the hands of county Treasurers and due from the General Government	2,664 30
Total resources	$62,053 02
Being an excess of resources over liabilities, of	**$4,193 66**

From this statement of the Auditor it will be seen that if the taxes be promptly paid, every dollar of our present indebtedness may be paid within the present year.

I take great pleasure in calling your attention to the valuable suggestions made by the Territorial Auditor and Treasurer. If the recommendations of the Auditor in egard to perfecting the Revenue Law be carried into effect, I think there will be no necessity for making any increase in the present rate of taxation, for, in my judgement, the increase in the valuation of property will bring upon the grand levy an amount sufficient to meet, at the existing rate of taxation, all demands, upon the Territorial Treasury, unless it be thought proper to make appropriations from the Treasury for objects not heretofore contemplated.

THE FAMILIES OF SOLDIERS.

I called your attention, at the last session of the Legislature, to the propriety of providing by law, for the relief of sick and wounded soldiers, and the families of soldiers in the field, and the widows and orphans of those who have fallen in defence of their country. Permit me again to invite your attention to this subject, as one, in my judgement, worthy your most serious and earnest consideration. Many of the soldiers in the field are men of limited means; and all must admit that $16 per month even when promptly and regularly paid, is a sum too small, in these times of high prices, upon which to support a family. The times are prosperous, and those who remain at home and enjoy this prosperity should not complain if they were taxed to a small amount, if found necessary, to properly support the families of the brave soldiers who have periled everything, even life itself, to sustain and support our Government, or to place beyond want the widow, and educate the orphan of those who have fallen in its defense.

ADJUTANT GENERAL'S REPORT.

The report of the Adjutant General of the Territory will be read with general interest. Owing to the fact that but few papers were left in the office by the Adjutant General, previous to and at the commencement of the present Rebellion, it was impossible to make a full report of all the official acts in that department since the commencment of the Rebellion. Much valuable and important information is, however, to be found in his report, to which your attention is respectfully invited.

TERRITORIAL LIBRARY.

I herewith submit, for your examination, the annual report of the Territorial Librarian. This report exhibits a very satisfactory increase in the number of volumes in our Library the aggregate of which now reach 13,738. A few volumes belonging to the Historical department have been lost. The Librarian very properiy recommends that the missing volumes be replaced by others while they may be procured at reasonable rates—thus preserving an unbroken series. In this recommendation I most cordially unite, and trust that such action may be had during your present session as will enable the Librarian to replace the lost volumes.

FREE HOMESTEADS.

No people within the jurisdiction of the United States are more deeply interested than the people of Nebraska in the success of the principle of justice which prompted Congress to enact the "Homestead Law." But the experience of every settler on the frontier has taught him that the principle underlying that beneficent enactment is not fully carried out by its provisions. The object of the law was to open up Public Lands for the use of cultivators of the soil at the actual cost of survey and sale. The law, as it now stands, is defective in this, that it does not prohibit the sale of the Public Lands not actually occupied at the time by Homestead settlers, to non-resident speculators. This class of people, either in person or through their agents, flock around the new settlements, and purchase large quantities of lands adjoining or near the Homesteads of actual settlers, and hold them until the labor and enterprise of the resident owners have enhanced them greatly in value, and thus reap large gains from the labor of those whom the law was intended to protect. I therefore recommend that you memorialize Congress, during your present session, to prohibit the sale of the Public Lands to any except such as shall make proof that they propose to acquire them for the purpose of actual settlement and cultivation.

A GENERAL HERD LAW.

Intimately connected with this subject is another, of vast consequence to the welfare and prosperity of the people of this Territory, which, in my judgment, has not heretofore sufficiently engaged the attention of the people. I refer to the tardy growth jo many of our settlements on account of the supposed deficiency of timber. It is true that timber is not as abundant in many parts of the Territory as it is in many of the Western States; and yet there is more timber in the settled portions of Nebraska, in proportion to area and surface than in some of the most wealthy and powerful States of Europe. But granting all that may be said on the subject of the scarcity of timber, have we no way by which we can insure, at an early day, the settlement and cultivation of our large and fertile prairies and beautiful valleys? I think we have simply by the enactment of a General Herd Law for the Territory. Those who have already fenced their lands, and are prepared to restrain their stock from running at large, need not be damaged or effected by such a law, while all those who may thus cultivate their lands without the expense of fencing, could well afford to be taxed, to a small amount, for herding their stock. The experiment of herding stock has already been tested in several portions of the Territory, with complete success. Stock has been found to thrive much better when regularly grazed and watered, and a much less per centage is lost by estraying and otherwise.

This subject is, in my opinion, one which claims your earnest and careful consideration, and I therefore trust you will give it that attention which its importance demands. I can think of no other possible way by which you can do so much towards securing an early settlement of our rich prairies and causing them to be cultivated, as by securing, through Congress, all the Public Lands to the actual settler, and enacting a General Herd Law.

THE FREEDMEN OF THE WAR.

During the progress of the present war, many thousands of the slaves of the South, who have, as a consequence of the war, been liberated from the bonds of human slavery, have been thrown upon the charities of our Government. They must either have the necessaries of life furnished to them, or they must suffer. It was no fault of these people that they were held in bondage, and it certainly is no fault of theirs that they are now free, or that they come to us without money, without property, and without education. Common humanity would say that they should be provided for, at least until they shall be able to earn for themselves and their families a comfortable support. The General Government has done, and is now doing, much towards giving this relief; but many of the wise and benevolent people of our country have thought it proper to adopt some measures whereby the Government may, to some extent, be relieved, and at the same time these people be protected and supplied with the necessary comforts of life. I do not advise the taxing of the people or the taking of any funds directly from the Treasury for this purpose. If, however, in your wisdom, you can devise any means whereby suitable labor can be furnished them, and an opportunity afforded them to earn an honest support for themselves and their families, it would be an act which, I doubt not, would meet the approval of your intelligent and philanthropic constituency.

It is now about two years since the Proclamation of Emancipation was issued, and it has, I think, proven itself to be not only a humane, but a wise, prudent and necessary measure.

The rebels have put our laws at defiance—the very laws which were intended to protect their slave property, and have laughed to scorn and trampled under foot the Constitution under which they claimed to possess their rights to hold slave property. The logic of events plainly tells us that hereafter the suppression of the rebellion and Emancipation must go hand in hand, until the last foe shall be conquered and every shackle shall fall, and the oppressed be permitted to go free. Then shall our country be blessed with a PEACE which shall bring with it a restored Union, with all the blessings of civil and religious freedom. Our enemies having "sown to the wind," must "reap the whirlwind."

PENITENTIARY.

It is scarcely necessary for me again to enter into any lengthy argument in favor of the building of a Penitentiary in our Territory. That subject has been discussed in my former messages to your body, and also by most, if not all, of my predecessors in office. I, however, advise you to continue to press the subject of an appropriation for this object, upon the attention of Congress, in the hope that it may receive favorable action at the hands of that body at an early period. Aside from the necessity of having an institution of this kind, for the welfare and safety of the law-abiding people of the Territory, there is a great necessity for it in behalf of the General Government. At present, all persons charged with offences against the General Government are, of necessity, guarded, until trial, at a heavy expense to the National Treasury, and after conviction the prisoners are ordered to be taken, for confinement, to one of the State prisons, more than 700 miles distant from the Territory. All this expense might be saved to the Federal Treasury if the liberality were shown to Nebraska by Congress, that has usually been extended to the Territories.

MILITIA LAW.

I must be permitted to respectfully call your attention again to our Territorial Militia Law. This law is in many respects quite defective, and should, in my opinion, receive some attention at your hands. The Organic Act of the Territory provides that the Governor shall be Commander-in-Chief of the Militia; but it is certainly proper and right that the Legislature should provide for properly organizing and drilling the Militia, and also make provision for mounting and equipping the men, when called into actual service. When the late call was made for troops to assist in protecting our frontier settlors from the the savages, I found myself obliged to rely entirely upon the patriotism and liberality of the people in order to raise and equip a sufficient force to give proper relief to the suffering people.

The law regulating the enrollment of the Militia of the Territory also needs amendment. It perhaps might be proper to make it conform, as nearly as practicable, to the laws of Congress, so that we may be enabled, at any time, to determine the number of Militia in the Territory which would be subject to military duty under the laws and regulations of the General Government.

THE PACIFIC RAILROAD.

It will be gratifying to you, and the people of the Territory, to know that the work on the Great Union Pacific Railroad, which is to pass through the entire length of Nebraska, is progressing at a very commendable rate. The work of grading, bridging, and preparing the ties, is progressing much more rapidly than had been anticipated by our most sanguine people. I feel fully authorized to say that unless some unforeseen misfortune attends this great enterprise, more than fifty miles of road westward from Omaha, will be in readiness for the cars before your next annual meeting. Not only is this great work progressing at this end of the route, but the following notice of the work, taken from President LINCOLN's late message to Congress, will show that the people at the Western terminus of the line are also pushing on the work. The President says:

"The great enterprise of connecting the Atlantic with the Pacific by railroad and telegraph lines has been entered upon with a vigor that gives assurance of success, notwithstanding the embarrassments arising from the prevailing high prices of materials and labor., The route of the main line of the road has been definitely located for one hundred miles westward from the initial point at Omaha City, Nebraska, and a preliminary location of the Pacific Railroad of California has been made from Sacramento eastward to the great bend of Mucker river, Nevada."

Another line of railroad, which is designed to connect with this route within the limits of our Territory, has recently been surveyed on the south side of the Platte river. This line is designed to be an extension of the Burlington and Missouri River Railroad, and from the favorable reports made by the engineers, there can scarcely be a doubt that work will soon be commenced on that line also. I therefore think you will admit that I did not predict too much for Nebraska when I said to you, in my last annual message in alluding to these and to the other railroads which were proposed to be built through our Territory, that: "With these magnificent works successfully prossecuted to completion, connecting us directly with the great cities of the Atlantic and Pacific,—with the advantages of the Homestead,—of a virgin and fertile soil.—of exhaustless salt springs,—with a climate as solubrious as exists in the world, none can hesitate to predict for Nebraska gigantic strides in the attainment of wealth and power."

HASTY LEGISLATION.

As a former session of the Legislature, I called the attention of members to the prevailing evil, too common everywhere, of deferring, till the closing hours of the session, the passage of most of the acts or bills of the session. This practice is sometimes fraught with much mischief, and often with great wrong to the people. It is made the duty of the Governor to examine "every bill which shall have passed the Council and House of Representatives" and he is required either "to sign or return it with his objections." You will, I have no doubt, be astonished when I tell you that out of about one hundred acts and joint resolutions passed at the last session, more than one half of them were presented and signed on the last day of the session; and yet that session was not exception in this particular to the general rule. Let this Legislature, I entreat you, set a new example in this particular, and let your work not only be well done, but done *promptly.*

STATE GOVERNMENT.

During your last session, a joint resolution was passed, asking Congress to pass an act to enable the people of Nebraska to form a Constitution preparatory to an early admission into the Union as one of the independent States. Congress passed the act, but it was done near the close of the session, and there was scarcely time enough allowed between the date of the reception of the bill in the Territory and the election of the members of the Convention, for the people to learn of its passage—certainly not enough to enable them to consider, thoroughly and dispassionately the principles of the bill or the terms on which it was proposed to admit the Territory into the family of States. Under these circumstances, a large majority of the people decided that the members of the Convention should adjourn without forming or submitting any Constitution whatever. This decision of the people, under the circumstances, was just what might have been anticipated. It however, is no proof that when convinced that liberal terms are proposed by the General Government they would not readily consent to take their place in the great family of States. One of the great and leading objects of forming Territorial Governments, is to take the first step towards making a State. This is doubtless the object and aim of all Territories.

The strongest argument used against the admission into the Union, by those who opposed it, is perhaps, the last one that should be resorted to by the friends of our Government. I allude to the argument that we ought not to tax ourselves for anything which the General Government is willing or is bound to pay. In other words, that so long as the General Government is willing to pav the expenses of the Territory, so long the people should refuse to change their form of Government. All parties are, I presume, ready to admit that our Government has quite as much as it can well do to maintain itself against its wicked enemies who are trying to overthrow it; and it seems to me that all loyal and Union-loving people should be willing to assist in bearing their proper burdens; at least, that they should not longer insist on drawing from the General Government that which we might provide for ourselves. Your own knowledge of the wishes of the people—being fresh from their midst—will enable you to decide whether or not the people would desire any further action at present on this subject. I shall therefore leave the whole subject with you, believing that you will decide the matter in accordance with their wishes.

CONCLUSION.

After this brief review of the condition of public affairs, it may not be deemed improper, I trust, for me to make a brief personal allusion. This may be, and probably is, the last annual Message I shall even present for your consideration. The period for which I was selected to fill the office of Chief Executive of the Territory, is rapidly drawing to a close. It is due to myself to say that it has been my constant aim to discharge the duties of the office faithfully, impartially, and efficiently,—bearing constantly in mind that the great and only true object of government, is to obtain the greatest attainable security of life, liberty and property. That on the relative safety of these, depends the real happiness and prosperity of every community. I have earnstly desired that the scales of justice should be held evenly balanced between man and man; that every interest should receive just protection, and that the laborer everywhere should securely reap the proceeds of his toil. I have most earnestly desired to aid in establishing a good system of Common Schools, so assential to the existence of a Republic and the development of the natural resorces of our Territory, by encouraging the erection of railroads, and bridges, by the encouragement of immigration, and by the introduction of improved stock. I have also endeavored to aid the other Territorial officers, in the work of so managing the financial affairs of the Territory as to relieve the people from the large Territorial debt that has so long been a burden to them. How far I have succeeded in these aims and wishes, must be left for others to judge. None however, can regret any manifest short-comings, more than myself. It is also due to my feelings, that I should express my gratitude to you, and through you to the people of the Territory for the kind and generous manner in which I was received, and have been uniformily treated by each of you at the different sessions of the Legislature, and by the people at large.

Although the labors and duties of the Executive office are onerous, and to some extent irksome, yet the candid manner in which all my recommendations have been received by you and your predecessors, and the generous responses by the people of the Territory, to all demands that I have had to make upon them, has more than compensated me for all my anxious solicitude and labor.

In conclusion, I would say that I will most cheerfully co-operate with you during the present session, in perfecting such measures as the public safety and welfare may require, and your wisdom devise, and expressing the hope that at the conclusion of your deliberation, on your return to your homes, you may receive the approval of an enlightened and generous constituency.

ALVIN SAUNDERS.

AUDITOR'S REPORT.

OFFICE OF TERRITORIAL AUDITOR AND SCHOOL COMMISSIONER,
OMAHA, N. T., January, 1864.

To the Honorable Council and House of Representatives of the Territory of Nebraska:

In accordance with the requirements of law, I have the honor to present my Annual Report to your honorable bodies, and I do so with more pleasure from the fact that I am enabled to show the Territorial finances in a much more favorable condition than last year, and the operations of levying and collecting the revenue of the Territory is working much more satisfactorily than at any time heretofore, owing to the favorable legislation of last session and to the better understanding of the revenue laws by the officers who have duties to perform under them.

Statement A, exhibits the accounts allowed and warrants drawn previous to the passage of the appropriation bills, last session. Statement B, exhibits the accounts allowed and warrants drawn since that time. In only one case has it been found necessary to exceed the appropriation, and that was in the purchase of books and blanks required under the revenue system; the appropriation being exceeded by 66 22, and which, under the circumstances I considered necessary, after consultation with other officers of the Territory.

In the settlement of the accounts of Collectors of the Revenue, I have deemed it prudent, to avoid confusion in the accounts, to draw warrants for the fees authorized by law, rather than allow them to retain or receive a credit on these accounts for their fees; and would respectfully request that in your next appropriation bills you provide an amount against which the Auditor may draw for the settlement of such accounts.

Statement C, exhibits the condition of the warrants and funded indebtedness of the Territory, by which you will see that this indebtedness has been reduced $3,602 07, and if we estimate the funds now in the hands of the Territorial Treasurer, viz.: $7,131 77, applicable to redemption of bonds and warrants when presented; we find this indebtedness practically reduced $10,733 84, to which might be added about $8,500 in the hands of the County Treasurers ready to be paid into the Territorial Treasury at their next settlement, which amounts, I would suggest, might be called into the Treasury immediately, so that the Territorial expenses of the Legislature may be paid promptly at par as soon as the appropriations are made.

Statement D, exhibits the liabilities and resources of the Territory. The *real* liabilities are much less than the statement, for the reason that I have included all of the undrawn appropriations, some of which will not probably be called for during the present year. In the statement of resources I have included the charges standing upon the Auditor's books against the General Government, for the amounts paid by the Territory on account of the Pawnee War of 1859. I have also included the amounts of delinquent taxes, and penalty and interest due from the several Counties on account of revenue of previous years; the collection of all of which, in my opinion, requires some legislation.

Statement E, includes tables showing the abstracts of assessments of the several Counties from 1859 to 1864, by which it will be seen that Nebraska has made great progress in the accumulation of material wealth, while *town* lots steadily decreased in value from 1859 until last year, the number and value of horses, mules, neat cattle, &c., were steadily increasing; and I would respectfully suggest that the laws be so amended that at the time of taking the assessment each year the Assessors be required to ascertain the number of bushels of grain and value of other products of our Territory,—statistics that will be of great value in the future.

Statement F, exhibits the condition of the accounts between the Territory and the several Counties. I would suggest that there be a law enacted under which the Territorial claims upon the Counties for the amount of revenue levied against them can be settled up within the year or within the next year after the levy is made, without the trouble and annoyance of *running* accounts, extending over several years; if such were the case, we could determine with certainty in regard to our Territorial Revenue, and arrange our expenditures accordingly.

FIRE PROOF SAFE.

I would again respectfully urge upon the consideration of the Legislature the importance of providing a suitable Fire Proof Safe for the use of the Auditor's office. Valuable books and vouchers are constantly accumulating, and which, if lost, would be a great damage to the Territory.

ESTIMATES OF APPROPRIATIONS FOR ENSUING YEAR.

Among other duties prescribed by the Auditor is that of presenting to the Legislature an estimate of the appropriations which should be made for the expenses of the Territory. In addition to the claims mentioned in the statement of liabilities, there will be required for the year 1865:

For Salary of Auditor	$ 900 00
" " " Treasurer	400 00
" " " Adjutant General	300 00
" Legislative Expenses	2000 00
" Expenses Auditor's Office	100 00
" " Treasurer's Office	100 00
" " Executive Department	200 00
" Fire Proof Safe for the Auditor's Office	1000 00
" Revenue and School Books and Blanks	1500 00
" Collection Fees, General Fund	1500 00
" " " Sinking "	500 00
" Furniture Auditor's Office	50 00
" Territorial Library	300 00
" " Armory and Armorer	300 00
" Procuring lists of entered Lands	200 00

LISTS OF ENTERED LANDS FOR ASSESSORS.

The Revenue Law provides that the Auditor shall procure lists of lands from the several Land Offices. There being no appropriation made for the purpose last year, I was unable to comply with the requirements of law in that respect, and considered it unnecessary as the several County Clerks had probably procured the lists under the authority of the law in force at the commencement of the year. Should you, in your wisdom, conclude to let the law remain as at present, it will be necessary that an appropriation be made for the purpose, and also for the payment to the Register of the Land Office, at Brownville, for the lists procured from him by the Auditor in 1863, and which I called the attention of the Legislature to last session.

AMENDMENTS TO REVENUE LAW.

The following amendments to the Revenue Law seems to me necessary to secure uniformity and perfection in its practical working:

Section 29 provides that the Board of Equalization shall equalize the levy of the Territorial taxes, by "varying the rate of taxation on the different Counties, in case the Board of Equalization are satisfied that the scale of valuation has not been adjusted with reasonable uniformity by the different Assessors."

In the case of assessments in Dodge county for 1864, the Assessors failed to return to the County Clerk the value of the lands, and the Clerk in forwarding his abstract of assessments put on a valuation of $1 25 per acre, which valuation being much too low to agree with other Counties; the Board of Equalization directed the County Clerk to assess an average valuation of $2 50 per acre.

The section ought, therefore, to be so amended as to authorize the Board of Equalization to equalize by varying the rate of taxation, or to *increase or diminish the average valuation* when the disparity between the true and the returned valuation was so great.

I would also recommend that the County Clerk, instead of making a tax duplicate as at present, he be required to make out seperate lists from his original tax-list, for each precinct, which lists should remain in the hands of the County Treasurer for collection until the day that taxes become delinquent, then they should be transferred to the Precinct Collectors, who should be required to make a personal demand upon all the residents of his precinct whose taxes are unpaid, and if the taxes remain unpaid for one month after such demand is made, the Collector should proceed by distress and sale of personal property to collect the taxes; and in case the Collectors are unable to collect the amounts due for want of personal property on which to levy, he should after a reasonable time return his lists to the County Treasurer, to have the lands upon which taxes remain unpaid offered at public sale. To compensate the Precinct Collectors an addition to the amount of taxes, say five per cent., might be made, and if the Collector is obliged to collect by distress and sale an additional amount, say ten per cent., might be levied. In this way very nearly all of the taxes could be collected within a reasonable time after the levy is made.

I would also recommend that the labor of the County Treasurers be lightened by doing away with the seperate entry of the various kinds of taxes upon the tax receipt make; the receipt for the total amount of the tax in one sum; also abolish the system of duplicate receipts, and let the County

Treasurer report to the County Clerk the tracts of land or the property upon which taxes are paid if necessary. There is too much labor required for the amount of compensation given to our officers.

I would also recommend that instead of two settlements a year with the Territorial Treasurer, as now required from certain Counties, that only one settlement be required; but that the County Treasurar shall report the amount of Territorial funds collected, and shall transmit by express or otherwise to the Territorial Treasurer the funds so collected, whenever the exigencies of the Territorial Treasury shall require the funds; and in the smaller Counties the settlements could all be made by mail, saving to the Territory much of the amount now paid for mileage.

CENSUS.

An act to apportion and define Councilmen Districts, approved January 28th, 1864, provides for taking the census of the inhabitants of the Territory. I would recommend that at the time this census is taken, the Assessors be required to ascertain

The names of the heads of families;
The number of white males over the age of 21;
“ “ females “ “
“ “ male children under 21 years;
“ “ female “ “
“ colored males over the age of 21;
“ “ females “ “
“ “ male children under the age of 21;
“ “ female “ “
“ entitled to vote;
“ of log dwelling houses and value;
“ “ frame “ “
“ “ brick or stone dwelling houses and value;
“ and denomination of churches and value;
“ of log school houses and value;
“ “ frame “ “
“ “ brick or stone school houses and value;
“ “ scholars in attendance on school;
“ “ blind, deaf, dumb and insane;
“ “ acres of land under cultivation;
“ “ “ “ planted with trees;
“ “ acres of sorghum raised;
“ “ gallons of molasses manufactured;
“ “ pounds of sugar “
“ “ tons of hay cut;
“ “ acres of land in cultivation of vegetables;
“ “ bushels of wheat and value;
“ “ “ oats “
“ “ “ corn “
“ “ “ buckwheat “
“ “ “ barley “
“ “ “ rye “
“ “ cows

The number of pounds of butter manufactured;
“ “ “ cheese “
“ “ fruit trees not bearing;
“ “ “ bearing, and kinds;
“ “ work oxen, and value;
“ “ horses, and value;
“ “ mules “
“ “ sheep “
“ “ swine “
“ “ pounds of pork packed;
“ “ “ wool shorn;
“ “ hives of bees;
“ “ pounds of honey taken;
“ “ “ beeswax;
“ “ “ grapes raised;
“ “ rods of hedging;
“ “ “ fencing;
“ “ carriages for pleasure, and value;
“ “ wagons, and value;
“ “ other vehicles, and value;
“ and value of agricultural implements;

and such other items as will show the actual condition of our Territory. Almost all of the States provide for taking the census and ascertaining these facts during the present year. Should the Legislature determine to provide for a full census at the time of taking the assessments, it will be necessary that provisions should be made immediately for furnishing the necessary blanks and instructions.

REVENUE BOOKS AND BLANKS.

In accordance with the requirements of the 5th section of the Act making appropriations &c., for 1864, &c., I advertised for proposals for furnishing the books and blanks, and sent copies of the advertisement to Blank-book Manufacturers in St. Louis, Cincinnatti, Chicago, Pittsburg, Philadelphia, New York, Des Moines, and other Eastern cities, and received the following bids, for full bound books:

	Articles required.	L Cowles, New York.	Mills & Co., Des Moines.	C. F. Catlin, Omaha.
10	Tax lists, 2 quires each, per book............	$ 4 22	5 00	7 50
“	“ 3 “ “	6 24	7 50	11 50
“	“ 5 “ “	10 14	12 50	15 50
“	“ 6 “ “	12 35	15 00	18 00
4	“ 8 “ “	16 25	20 00	24 00
100	sheets, same form, unbound.....................	9 10	8 75	8 00
20	Treasurer's cash books, 3 quires each, pr. book	6 24	7 50	7 50
24	“ “ 6 “ “	12 35	15 00	18 00
100	sheets, same form, unbound.....	9 10	8 75	8 00
10	Treasurer's warrant books, 2 quires each.....	4 22	5 00	7 50
12	“ “ 5 “	10 14	12 50	15 00
100	sheets unbound..	9 10	8 75	12 00
10	sales books, 3 quires each.........................	5 33	6 75	12 50
12	“ 5 “	9 10	11 25	15 50
1000	sheets, same form, unbound.......................	54 60	75 00	65 00
	Total bid for books..................................	$1,223 88	$1,493 75	$2,532 00

Which bids were opened in the presence of the Territorial Treasurer, and with his concurrence the contract was awarded to Leicester Cowles of New York; but as the amount of the bid more than exhausted the amount of the appropriation, I deemed it advisable to reduce the quantity and size of some of the books.

In the above I have not included the bids for the blanks, for the reason that the appropriation was not large enough to furnish them, and I considered it more important that the Territory furnish the books. I have taken pains to ascertain the opinion of officers having duties to perform under the revenue and school systems, and they seem to be unanimous in the expression that it is important that the Territory should furnish all the books and blanks required for the use of such officers, for the reason that greater uniformity is secured thereby, and also on the score of economy, purchasing in large quantities from 25 to 40 per cent. of the cost can be saved to the people.

I deem it proper to say, however, that subsequent to the award of the contract bids were received from other Blank-book Manufacturers in the cities of Pittsburgh and New York, but at an aggragate bid of from $200 00 to $600 00 above the prices at which the work was let.

SCHOOL DEPARTMENT.

Not having been able to get in, up to this time, full statistics for the year relative to our School system, I am unable to present a detailed report of its present condition, and will only remark that, in my opinion, a simplification of our School law is demanded, and a reduction of the number of officers required to carry it into effect. But whatever changes or amendments are made, it is important for the practical working of the system that a uniform series of blanks, and enough of them, should be furnished by the Territorial Commissioner, and School officers should be required to use them. We have never had so full reports as during the year 1861, when blanks were furnished upon which to make them.

I would call the Legislature to one defect, and that is, the manner of making the apportionment of the Territorial School fund. Let the County Treasurers be required to pay the funds collected into the Territorial Treasury, and then let the Treasurer apportion the amount in his hands, for under the present system it is impossible to ascertain the amount of funds collected, and in some instances the amounts collected in the Counties are not reported; and yet if the same Counties have made a report of the number of youth, they will draw from other Counties that do report their collections. A remedy would be, to appropriate all of the Territorial School funds levied upon each of the Counties, for years up to 1863, to the Counties, and require all Territorial School funds collected for 1864 and thereafter, to be paid to the Territorial Treasurer, and then if any County fail to make their School reports, or to report their collections of funds, allow no apportionment to be made to them.

Another defect is the diversity of text books allowed under the present system. Let the School Commissioner call together a committee of the best educators in the Territory, and let them select a series of Text Books, which shall be used throughout the Territory. School book publishers will freely contribute copies of their publications for such a purpose; and if a uniform series can be adopted throughout the Territory, publishers will furnish them at greatly reduced rates, in consideration of the quantity that would be required. Thus, a uniform series throughout the Territory would be a source of economy for the people. If a portion of the Territorial School fund should be appropriated to the purchase of text books, to be distributed throughout the Territory, free, I am satisfied from the experience of other States which have adopted the plan, our School system would be greatly benefitted, and an interest revived in its progress. There are many in our Territory too poor to purchase even the books required for their children, and therefore their children are permitted to grow up in ignorance.

For the welfare of our Territory, and the future State of Nebraska, it would be better that every child were compelled to go to school, even if the Territory paid for the time required to educate them, rather than have them grow up in ignorance. In other words, it is better and cheaper to educate the children than it is to support Poor Houses and Jails for the safety of the community, when these children grow up, for ignorance, paupenism and crime go hand in hand together.

SCHOOL LANDS.

The selections of lands made several years ago to supply deficiencies in School lands ought to have some attention, for now that the Territory is increasing in population, and the vacant lands are being taken up for various purposes, these sections are becoming very valuable; and in some instances, through the connivance of land officers, some of the most valuable of the sections heretofore made have been given up to private persons. In others, entries have been made of the lands, which could have been prevented, had some one authority to employ counsel to attend to the interests of the Territory in such cases.

I would suggest that the School Commissioner be authorized to employ attorneys in cases of fraudulent entries of School lands reported to him.

I would also recommend that there be a general law passed by which the Schools of our Territory might reap some benefit from the leasing of the lands. The Secretary of the Interior, in a letter to me, stated that "So long as the Congressional legislation applicable thereto remained unchanged, there would be no objections interposed by that Department to our acquiring a School revenue from the use of these lands." He considering that the Organic Act, in saying that "Sections number 16 and 36 in each Township in said Territory shall be, and the same are hereby, reserved *for the purpose of being applied to Schools* IN SAID TERRITORY, and in the States and Territories hereafter to be credited out of the same," (see Sec. 16 of Organic Act,) clearly meant to give the Territory the right to use the lands in any manner for the purpose of sustaining her Schools, without disposing of the title to the soil.

Under instructions from this office, the Clerk of Sarpy County, during last year, leased a number of tracts of lands, and will probably realize, when all collected, near $200.00 for the one year. I have had numerous applications for leases of these lands, and could I have a general law under which the rents could be promptly collected, I have no doubt that several thousand dollars could be obtained annually from that source.

INSURANCE DEPARTMENT.

In accordance with the requirements of "An Act in Relation to Insurance Companies," approved Feb. 15th, 1864, the following Fire Insurance Companies have filed in this office statements of their condition, and have received "certificates of authority" to transact business of Insurance until January 31st, 1865, for their Agents, to-wit:

Ætna Insuraace Company, of Hartford, Conn.

Capital paid up,	$1,500,000 00
Net assets,	3,002,556 39

AGENTS.

Frank Murphy, Omaha, N. T. James Sweet, Nebraska City, N. T.

Home Insurance Company, of New York City, N. Y.

Capital paid up,	$2,000,000 00
Total capital and surplus,	3,210,467 01

AGENTS.

J. H. Kellom, Omaha, N. T. N. S. Hardin, Nebraska City, N. T.

Phœnix Insurance Company, of Hartford, Conn.

Capital paid up,	$400,000 00
Nett assets,	623,168 02

AGENTS.

P. W. Hitchcock, Omaha, N. T. D. H. Wheeler, Plattsmouth, N. T.
James Sweet, Nebraska City, N. T. Daniel C. Sanders, Brownville, N. T.

Hartford Fire Insurance Company, of Hartford, Conn.

Capital paid up,	$ 500,000 00
Nett asssets,	1,219,432 69

AGENTS.

John H. Kellom, Omaha, N. T. John H. Maxon, Nebraska City, N. T.
D. H. Wheeler, Plattsmouth, N. T. John L. Carson, Brownville, N. T.

Manhattan Fire Insurance Company, of New York.

Capital paid up,	$250,000 00
Total Capital and surplus,	527,757 41

AGENTS.

Barrows, Millard & Co., Omaha, N. T.

Arctic Insurance Company, of New York, N. Y.

Capital paid up,..	——— —

AGENTS.

BARROWS, MILLARD & Co., Omaha, N. T. N. S. HARDING, Neb. City, N. T.

Phœnix Fire Insurance Company, of Brooklyn, N. Y.

Capital paid up,..	$500,000 00
Total capital and surplus,..	728,435 44

AGENTS.

BARROWS, MILLARD & Co., Omaha, N. T.

Section 13 of the act relative to Insurance Companies provides that

"If any insurance company, associated firm or individual, or their agent or agents, having filed its or their statement as required by this act, and conformed to the requirements thereof, shall have on deposit in any other State or Territory, or elsewhere than in this Territory, any portion of its capital or earnings as a guarantee fund for the exclusive benefit or security of persons insured in such State or Territory, or other place, it shall be the duty of the Auditor of the Territory to withhold from such body or individual so alienating any such portion of their capital or resources, the certificates and authority in this act provided for, until such body or individual shall file with the Auditor of the Territory a statement duly verified by the oath or affirmation of the President or Secretary of such incorporated company, or member of such incorporated company, associated, partnership or firm, or of such individual showing the amount of premiums received in this Territory [by] such company during the year ending on the first of January next preceding the filing of said statement, and shall deposit in this Territory, in such manner as the Auditor shall direct, five per cent. of the amount received, &c.

* * * * * * * *

This section shall not apply to any of the aforesaid bodies or individuals who have made no such deposits as in this section mentioned, elsewhere than in this Territory."

But does not provide any mode by which the Auditor may ascertain whether or not such Insurance Companies have any deposit for the exclusive benefit of the insured in any State. I would suggest that the law be so amended as to require the companies or individuals desiring to do business in this Territory to show in their annual statement whether they have any such special deposits or not.

I would also suggest that the Auditor be authorized to make a brief abstract of the insurance statements filed with him, for publication, instead of requiring the companies to advertise their full statement, the average cost of which for each company is at the regular advertising rates over $100 00 in each County in which the company may be doing business. All of which is a tax upon our own citizens, for the reason that the companies add so much more to their premiums.

I would also suggest that the Auditor be required to furnish to the several Insurance Companies the necessary blanks on which to make their annual reports, as in other States having laws regulating the business of Insurance.

I would further recommend that, instead of the present system of levying and collecting taxes upon Insurance Companies as provided for in the Revenue Laws, the officers of the companies doing business in the Territory should be required to include in their annual statement a certificate showing the amount of premiums collected by their several agents in the Territory during the previous year, and be required to pay direct to the Territorial Treasurer a tax of two per cent. upon the amount of premiums so taken, in lieu of all other taxes, Territorial and County, out of which might be paid the expenses of furnishing blanks and advertising abstracts of insurance statements.

TERRITORIAL LIBRARY.

In consequence of the inadequate salary allowed to the Auditor, I have been unable during the past year, to give much personal attention to the Territorial Library, and therefore appointed R. S. Knox, Esq., Deputy Librarian, whose report will accompany this, and I would respectfully request the Legislature to seperate the two offices, as the duties of Librarian require one's whole time at the Capitol building, and to secure that attention, greater compensation must be provided, than that allowed, the present Auditor for all the duties required of him, it being only about half enough to pay for his bread and butter at the present exhorbitant prices of all articles required to sustain life, to say nothing of luxuries.

REMARKS BY COUNTY CLERKS RELATIVE TO OUR REVENUE SYSTEM.

"I do not know that I could improve the Revenue and School laws to make them any better."

Z. B. WILDER, Clerk Burt County.

"It is believed that the Revenue Law works smoothly in most of its details; it however goes on the presumption, that all of the lands will be sold each year, and fails to say what shall be done about advertising back taxes, this should be amended, but is all the change that now occurs to us.

E. H. ROGERS, Clerk Dodge Co.

"It is certainly advisable that some Territorial Officer (and the Auditor is the proper one) furnish to the different counties, *all* the books and blanks required under our Revenue and School Systems. The Territory has furnished these blanks heretofore and it would be a very strange proceeding now to require each county to furnish its own. Under such a system, uniformity would be out of the question, and the cost of the books and blanks would be largely increased.

"The Revenue Law passed at the last session of the Legislature, works well in this county. I believe it to be the general opinion, among who all have become acquainted with its details, that it is the best system that could be adopted for this Territory; it may need some little amendment, but I am clearly of opinion that any radical change in it would be bad policy."

BYRON REED, Clerk Douglas Co.

"I think all the blanks and blank books for the use of the School Fund and Revenue, should be furnished by the Territory, in order to secure uniformity and despatch in the transaction of business. Also it will be more economical, as the quantity each county will need is so small, that printers will charge extortionate prices, whereas, the whole amount for the Territory could be had at low figures and be a great saving to all.

JACOB DAWSON, Clerk Lancaster Co.

"As you requested, I will state in my opinion the following changes necessary in our Revenue and School Laws; that the County Treasurer, be required to do all the business of Township Treasurers, and that all allowances made by the Boards of Education for teacher's wages, incidental expenses and all other expenditures, shall be certified by the Board of Education to the County Clerk, who shall draw an order on the County Treasurer for such allowances, for the following reasons: It will save the commission allowed to County Treasurers; it will be no more trouble to the County Treasurer to pay the party to whom the allowance was made, than it would be to pay to the Township Treasurer; it will dispense with all the trouble and perplexities of making settlements with Township Treasurers; it will save the expense allowed them for making their settlements; it would secure correct statements of the receipts and expenditures of each Township, as it now is, it is impossible to get correct statements. One half of the Treasurers cannot keep a correct statement of the monies received and paid out by them. When they come to make settlement with the County Treasurer, they bring, with them a few ragged and dirty orders, without any account of the monies received by them, or what it was expended for. Their settlements are never made in time. If the allowance made by the Board of Education was not in proper shape to warrant the issuing of an order by the County Clerk, he could repute it, and give instructions as to what was necessary. The greatest objection to our school law is, that too many officers are required to execute it. This would make one less, and dispense with much annoyance and trouble to the County Clerk and Treasurer."

"I suggest that so much of Sec. 33 of the Revenue law as passed last winter, requiring the affidavit of Supervisors attached to their certificates or receipts be repealed, for the following reason: That when the Supervisor enters on the duties of his office, he is required to take an oath to faithfully discharge his duties. The law fixes the number of hours required for a day's labor, which under his oath he is bound to have the laborer perform. If the Supervisor swears falsely in the first case, he will also in the other. Every officer before whom the Supervisor takes such oath or affidavit, is entitled to a fee of fifteen cents and five cents revenue stamp is required, which consumes a large per centage of the road fund. The whole matter is superfluous, and the law should be repealed.

"I would suggest that a more liberal allowance be made to County Clerks. They are allowed but two dollars per day for making out tax list and duplicate, when it is impossible to get a person competent to do such work for less than four dollars. The salary allowed, (not to exceed three hundred dollars per annum) will do for the back counties where little business is done but for the counties bordering on the river, the amount is not sufficient, unless a greater allowance is made for making tax list &c., &c."

WILLIAM H. HOOVER, Clerk Nemaha Co.

"I am of the opinion that the furnishing of books and forms, and thus establishing a uniform system throughout the Territory, would be a great help in the management of our revenue.

J. L EDWARDS, Deputy Clerk, Pawnee Co.

"As to any changes in laws, I have no suggestions to make, except I think it better that officers should be able to learn their duty under the laws as they are, than to be making changes, and to take effect from and after the passage, when we do not have the laws distributed, until the Legislature is about to meet and make more changes.

WM. R. WATSON, Deputy Clerk, Sarpy Co.

"I have no change to recommend in the Revenue or School Law. I think the more attempts there are made to better the system, the further they get from it.

"I think it better that the Territory furnish all blanks and books for carrying out the revenue system.

A. CASTETTER, Clerk, Washington Co.

"There are several points in our Revenue Law, which I think require attention and change, in order to render the working of said law harmonious and just.

1. The road tax on lands, collected as it is bears unequally upon the taxpayers. One man may own a farm worth $10,000, and another, one worth $1000, yet if each owns the same number of acres, both pay the same amount of tax. I think this section should be changed so as to assess a certain number of mills on the dollar for road purposes—not only on lands, but on all property. This would give a great deal more general satisfaction, I think, at least in this county.

2. I think that the tax list would be improved by the addition of two or three columns for delinquent taxes for previous years—thus facilitating the Treasurer's work.

3. I think the duplicating of tax receipts and Treasurer's cash book, bears unjustly upon the County Clerk under the law as it stands now—the Clerk being compelled to do nearly as much work as the Treasurer, for which the law allows him no payment whatever. Would it not be equally well to do away with this, and if more security is required, increase the Treasurer's bond to any required amount.

4. The time allowed for collection of taxes previous to their becoming delinquent, is entirely too short. I think it is well that taxes should become delinquent with the end of the year, but would recommend that assessments be made earlier in spring and the tax list required to be in the Treasurer's hands by September 1st, instead of November 1st, as at present directed. I think the School Law works as well as it could be expected to do, and gives general satisfaction, but there has existed, on the part of the township officers, a want of interest in the matter, and an apparent desire to get along with their duties with as little labor as possible. I am of the opinion that the form of our Revenue and School books and blanks, should be rendered as perfect as possible, and that the Territory should furnish all that are required—thus rendering the workings of both laws more easy and consistent throughout the Territory.

Without any desire to intrude my opinions, but simply as these points have appeared to me in the performance of my official duties—these remarks are most respectfully submitted.

JAMES CAMERON, Clerk, Richardson Co.

Respectfully calling the attention of the Legislature assembly, to the suggestions made by the several County Clerks, and the following financial statement, I have the honor to be your obedient servant,

WILLIAM E. HARVEY,
Territorial Auditor and School Commissioner.

STATEMENT A.

Statement of Accounts allowed and Warrants issued, from December 1st, 1863, to February 15th, 1864.

ON ACCOUNT OF SALARIES:

W. E. Harvey, salary as Auditor,	$40 00	
Aug. Kountze, do. Treasurer,	50 00	$90 00

ON ACCOUNT OF OFFICE EXPENSES:

A. Kountze, office rent	$25 00	
W. E. Harvey, do.	31 42	
F. Drexel, wood for Auditor's office	5 62	
A. B. Alferd, do. Treasurer's office	11 50	
C. F. Catlin, stationery for Auditor's and Treasurer's offices	11 70	
J. W. Towsley, wood for Auditor's office	15 00	
Lewis Hax, office chairs	14 00	
E. F. Cook, repairing stoves, &c	9 40	
Ketcham & Burns, lamps, oil, &c	8 05	
J. A. Barrett, moving Auditor's office	2 50	
E. H. Warner, wood	6 50	
J. Christensen, cutting wood	2 25	
S. B. Woolworth, stationery	8 60	
Geo. R. Smith, Postage, &c	8 25	
J. M. Phillips & Co., wood-box	50	
W. E. Harvey. sign for Auditor's office	3 50	
Thos. Morton, advertising proposals for Bonds	10 00	
A. Kountze, do. do.	15 00	$138 79

ON ACCOUNT OF TERRITORIAL LIBRARY:

H. F. Birge, map for Library	$8 00	$8 00

ON ACCOUNT OF REVENUE EXPENSES:

Jonas Hacker, treasurer of Nemaha county, mileage	$8 00	
J. H. Morrison, do do collection fees	19 68	$27 68

ON ACCOUNT OF SPECIAL APPROPRIATIONS:

A. S. Paddock, proceeds of sale of cast iron refunded	$940 92	$940 92

ON ACCOUNT OF LEGISLATIVE EXPENSES:

F. A. Hoffman, translating Governor's Message	$50 00	$50 00

STATEMENT B.

Accounts allowed and Warrants drawn, from February **15th, 1864,** *to December* **15th, 1864:**

ON ACCOUNT OF SALARIES:

W. E. Harvey, salary as Auditor	$825 00	
Aug. Kountze, do. Treasurer	275 00	
W. H. S. Hughes, do. Adjutant General	150 00	$1,250 00

ON ACCOUNT OF LEGISLATIVE EXPENSES:

Benj. Stickles, enrolling clerk, House of Representatives	$160 00	
J. W. VanNostrand, do. Council	160 00	
J. W. Manning, fireman, Council	150 00	
J. W. Hollingshead, copying Council Journal	60 00	
F. C. Morrison, clerk of committee on enrolled bills, Council	4 00	
G. W. Fowler, page, House	75 00	
E. Kennedy, ex. enrolling clerk, Council	16 00	
L. S. Peck, do. House and Council	24 00	
S. D. Bangs, engrossing clerk, House of Representatives	160 00	
O. F. Ingalls, page, Council	75 00	
A. Powell, do.	75 00	
Chas. Isaacs, page, House	75 00	
C. M. Aumock, assistant engrossing clerk of Council	40 00	
J. S. Gibson, assistant enrolling clerk of House	40 00	
F. A. Hoffman, do. Council	8 00	
W. H. Jones, do. do.	4 00	
Z. Jackson, engrossing clerk of Council	160 00	
J. J. Imhoff, fireman of House of Representatives	160 00	
R. Streeter, copying Journal of House of Representatives	200 00	
J. D. Douglas, assistant enrolling clerk of Council	4 00	
J. S. Gibson, making list of bonded warrants	25 00	
J. Taffe, copying Council Journal	140 00	$1,815 00

ON ACCOUNT OF EXECUTIVE DEPARTMENT:

M. H. Clark, printing Governor's Proclamations	$30 00	
T. Sutton and T. Riley, apprehension of murderer of I. H. Neff	200 00	
Taylor & McClure, advertising Governor's Proclamations	40 00	
A. H. Jackson, do.	10 00	
Taylor & McClure, do.	55 00	$335 00

ON ACCOUNT OF ARMORY EXPENSES:

T. Riley, work in Territorial armory	$3 50	
T. Kelly, do.	7 00	
F. Winship, hauling muskets to capitol	4 25	
C. Aldersen, labor in Territorial armory	11 50	
H. Bowman, do.	16 00	
H. H. Vischer, do.	4 00	
R. S. Knox, services as armorer	110 00	
R. S. Knox, material for cleaning muskets	2 00	
A. McAusland, repairing muskets for armory	24 50	
W. H. S. Hughes, amount paid T. Kelly for labor in armory	10 00	
J. Gise, labor and materials at armory	8 00	$200 75

ON ACCOUNT OF SPECIAL APPROPRIATIONS:

W. H. S. Hughes, opening and posting Treasurer's books........	$300 00	
M. H. Clark, printing School Report, 1860–'61....................	671 00	
J. M. Sherrard, building bridge across Saline creek..............	250 00	$1,221 00

ON ACCOUNT OF PAWNEE WAR EXPENSES:

J. Rickley, supplies furnished Pawnee expedition..................	$104 25	$104 25

ON ACCOUNT OF OFFICE EXPENSES:

W. E. Harvey, wood for Auditor's office..............................	$15 00	
G. R. Smith, P. M., postage, &c..	6 75	
A. H. Jackson, printing vouchers for Auditor's office..............	4 00	
R. Kennedy, repairing seal do.	1 05	
G. Herzog, cash box do.	2 55	
Jones & Harvey, printing receipts for Treasurer's office........	8 00	
H. L. Harvey, printing blanks do.	21 00	$58 85

ON ACCOUNT OF REVENUE BOOKS AND BLANKS:

A. H. Jackson, advertising proposals.........	$25 00	
L. Cowles, revenue books and blanks.....	1,041 22	$1,066 22

ON ACCOUNT OF REVENUE REFUNDED:

Douglas county, revenue of 1860 refunded..........................	$560 14	
Sarpy county, do.	298 69	$858 83

ON ACCOUNT OF COLLECTING GENERAL FUND REVENUE:

J. R. Conkling,	treasurer	Burt county,	collection fees, mileage	$22 42	
A. Reed,	do.	Washington county,	mileage.........	4 40	
J. Hacker	do.	Nemaha county,	do.	16 00	
A. Reed,	do.	Washington county,	collection fees...	40 08	
F. A. Tisdel,	do.	Richardson do.	do mileage	122 21	
J. Hacker,	do.	Nemaha do.	do. do.	87 72	
J. L. Edwards,	do.	Pawnee do.	do. do.	37 62	
J. B. Cox,	do,	Burt do.	do. do.	21 09	
T. Nye,	do.	Dodge do.	do. do.	22 54	
S. Duke,	do.	Cass do.	do. do.	216 30	$590 88

ON ACCOUNT OF COLLECTING SINKING FUND REVENUE:

J. R. Conkling,	treasurer	Burt county,	collection fees...........	$3 88	
A. Reed,	do.	Washington county,	do.	23 65	
F. A. Tisdel,	do.	Richardson county,	do	50 89	
J. Hacker,	do.	Nemaha county,	do.	48 10	
J. L. Edwards,	do.	Pawnee county,	do.	10 19	
J. B. Cox,	do.	Burt county,	do.	8 08	
T. Nye,	do.	Dodge county,	do.	10 18	
S. Duke,	do.	Cass county,	do.	120 32	$275 29

RECAPITULATION

Of Accounts allowed and Warrants issued from February 15th, 1864, to December 15th, 1864:

On account of Salaries	$1,250 00	
do. Legislative expenses	1,815 00	
do. Executive department	335 00	
do. Armory expenses	200 75	
do. Special appropriations	1,221 00	
do. Pawnee war expenses	104 25	
do. Office expenses	58 35	
do. Revenue books and blanks	1,066 22	
do. Revenue refunded	858 83	
do. Collecting General Fund Revenue	590 38	
do. Collecting Sinking Fund Revenue	275 29	$7,775 07
Total warrants drawn since last report		$9,080 41

STATEMENT C.

WARRANT AND FUNDED INDEBTEDNESS:

Bonds outstanding December 1st, 1863	$31,225 00	
Bonds redeemed at Treasury	2,775 00	
Total Bonds outstanding December 15th, 1864		$28,450 00
Warrants outstanding December 1st, 1863	$17,869 54	
Issued from December 1st, 1863, to February 15th, 1864	1,305 34	
Issued from February 15th, 1864, to December 15th, 1864	7,775 07	$26,949 95
Redeemed from General Fund at Treasury	$8,495 38	
do. Sinking do.	300 29	
do. School do.	940 92	9,736 59
Total Warrants outstanding December 15th, 1864		$17,213 36
Certificates outstanding December 1st, 1863	$1,101 90	
Certificates redeemed at Treasury	170 89	
Total Certificates outstanding December 15th, 1864		$931 01

Principal of Warrant and Funded Indebtedness Reduced:

Bonds	$2,275 00	
Warrants	656 18	
Certificates	170 89	$3,602 07

STATEMENT D.

Resources and Liabilities:

LIABILITIES:

Outstanding Territorial Bonds	$28,450 00	
Interest due on Bonds January 1st, 1863, unpaid	1 74	
do. July 1st, 1863, do.	14 00	
do. January 1st, 1864, do.	14 00	
do. July 1st, 1864, do.	102 25	
do. January 1st, 1865, do.	995 75	
Total Liabilities and Funded Indebtedness		$29,577 74
Outstanding Warrants	$17,218 86	
Interest due on Warrants, (estimated)	8,000 00	25,218 86
Outstanding Certificates		981 01
Overpayment by Counties:		
On account of 1859	$372 49	
Refunded Revenue of 1860	512 83	855 32
Due R. C. Jordan, balance of salary as Auditor	155 40	
Due W. E. Harvey, do. School Commissioner	374 12	
Due W. E. Harvey, do. Auditor for 1864	75 00	
Due Aug. Kountze, do. Treasurer for 1864	100 00	
Due W. H. S. Hughes, do. Adj't Gen'l for 1864	112 50	
Due Robert Moreland, appropriation undrawn	125 00	
Due H. Zoller, do.	2 00	
Due Wm. Williams, do.	2 00	
Due W. B. Dixon, do.	11 50	
Due C. Aldersen, do.	5	
Due F. Winship, do.	50	
Due R. S. Knox, do.	5	
Appropriation for Bridges on Saline Creek	250 00	
do. Express charges and postage on Books for Library	300 00	
Balance of appropriation for shelving, &c., for Library	30 00	
do. advertising Governor's Proclamations and for Armory expenses	17 00	
Balance of appropriation for fuel, stationery, &c., for Auditor's office	20 65	
Balance of appropriation for stationery for Treasurer's office	21 00	1,596 77
Total Liabilities		$58,2[illegible]18

RESOURCES:

Overdrawn apppropriation for Revenue books and blanks....		$66 22
General Fund, cash on hand in Treasury..........	$883 37	
Sinking Fund, do.	6,260 16	
Total cash on hand in Treasury..........		7,143 53
Due from United States for amount appropriated for Pawnee war expenses:		
Lacy & McCormick..........	$455 70	
Geo. Clayes..........	292 35	
King & Wood..........	1.200 00	
W. Sexauer..........	262 00	
F. G. Beecher..........	255 00	
John Rickley..........	104 25	
Robert Moreland..........	125 00	2,664 30
In hands of County Treasurers, and delinquent taxes:		
General Fund for 1859..........	$4,068 34	
do. 1860..........	287 88	
do. 1861..........	2,494 48	
do. 1862..........	2,804 63	
do. 1863..........	3,228 98	
Tax levy, General Fund for 1864..........	22,979 02	
Total General Fund..........		35,863 33
In hands of County Treasurers, and delinquent taxes:		
Sinking Fund for 1861..........	2,840 32	
do. 1862..........	1,560 06	
do. 1863..........	2,102 17	
Tax levy, Sinking Fund for 1864..........	9,216 68	
Total Sinking Fund..........		15,219 23
Penalty and interest on delinquent taxes:		
General Fund for 1859, (estimated)..........	1,750 00	
do. 1860..........	65 00	
do. 1861..........	1,000 00	
do. 1862..........	400 00	
do. 1863..........	300 00	
Total Penalty and Interest due on General Fund......		3,515 00
Penalty and Interest on delinquent taxes:		
Sinking Fund for 1861..........	700 00	
do. 1862..........	245 88	
do. 1863..........	200 00	
Total Penalty and Interest due on Sinking Fund......		1,145 88
Total Resources..........		$625,58 14
Deduct Liabilities..........		58,259 14
Excess of Resources over Liabilities..........		$4,193 66

STATEMENT E. Number of Acres of Land, and Value.

NAMES OF COUNTIES.	1859.		1860.		1861.		1862.		1863.		1864.	
	Number	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.
Burt,	15,713	$62,610	35,060	$63,881	22,500	$130,103	42,245	$71,686	33,943	$44,859	56,307	$80,874
Cass,	139,479	572,821	194,398	656,602	199,856	680,048	203,199	534,160	218,974	940,997	212,197	644,312
Cedar,	....	....	2,032	5,922	5,653	8,625	8,855	11,318	10,456	13,063	10,944	13,682
Clay,	....	....	....	....	9,000	18,000	*9,000	18,000	9,196	18,392	11,480	17,220
Cuming,	....	....	....	....	....	....	....	....	1,160	1,400	1,838	2,300
Dakota,	15,642	38,686	49,077	94,770	54,401	82,825	66,303	94,008	55,602	97,303	55,967	101,485
Dixon,	1,052	2,618	7,638	15,917	*7,638	15,917	12,736	16,434	15,478	19,848	14,445	18,068
Dodge,	19,261	72,266	53,685	68,453	56,741	70,926	80,780	100,975	82,000	102,500	62 720	156,800
Douglas,	130,040	1,388,634	152,856	890,879	152,856	630 687	160,266	579,016	163,126	525,520	174,290	806,022
Gage	....	....	9,966	17,300	9,904	13,940	13,991	17,489	15,697	26,345	14,467	18,084
Johnson,	15,268	42,285	25,957	45,099	*25,957	45,099	31,584	54,502	32 210	53,900	32,625	61,200
Jones,	....	....	....	....	....	....	....	....	....	....	1,760	5,900
Kearney,	....	....	....	....	....	....	....	....	....	....	....	....
Lancaster,	....	....	....	....	....	....	....	....	....	....	6,674	17,758
Nemaha,	68,495	218,970	111,281	366,921	*111,281	336,921	174,480	539,349	186,217	737,399	195,156	754,471
Otoe,	133,872	591,387	193,259	902,859	204,978	604 537	145 076	300,698	201,151	485,870	202,570	601,701
Pawnee,	14,503	38,796	32,177	66,868	*32,177	66,868	37,454	66,989	43,234	70,200	52,523	92,871
Platte	....	....	6,256	17,369	37,850	95,368	51,309	134,077	55,399	145,100	58,916	176,697
Richardson,	40 189	104,419	61,287	166,950	143,152	329,275	*143,152	329,275	161,280	403,200	221,050	440,566
Sarpy,	99.769	341,663	116,425	290,765	136,237	314,172	120,100	252,350	124,378	235,117	118,862	301,441
Washington,	79.711	233,384	117,469	329 606	116,989	504,832	130,604	296,049	122 697	282,239	129,406	350,680
Total	762 994	7. 8 539	1.066.123	4.004.198	1 328,170	3,648,143	1,431.134	3,416.275	1,542 200	4,213,352	1,634,273	4,708,582

* Not reported, estimated the same as previous years.

Valuation of Town Lots, and Amount invested in Stocks or Shares, Moneys and Credits.

NAMES OF COUNTIES.	Valuation of Town Lots.						Stocks or Shares, and Moneys and Credits.					
	1859.	1860.	1861.	1862.	1863.	1864.	1859.	1860.	1861.	1862.	1863.	1864.
Burt,	$59,795	$75,591	$24,669	$21,288	$15,525	$15,340	$1,917	....	....	$1,605	$400	$1 460
Cass,	351,732	164 943	134,503	97,056	94,816	138,220	32,085	$20,725	....	....	24,871	35 974
Cedar,	....	11,210	8,883	5,783	3,596	3,617	355	1,920	....	408	80	1,925
Clay,	....	....	....	....	....	....	....	....	....	....	286	38 275
Cuming,	....	....	....	....	....	....	....	....	....	....	1,525	280
Dakota,	8,051	24,642	33,269	29,308	....	29,039	13,650	2,870	$81,589	11,044	....	3,747
Dixon,	....	2,108	*2,108	1,332	3,134	6,063	2,545	1,550	*1,550	525	620	2,204
Dodge,	40,970	1,578	3,177	119	125	5,061	6,507	223	....	....	....	2,550
Douglas,	1,523,935	945,279	537,279	697,396	542,867	840,335	22,070	34,375	....	*34,375	82,906	26,650
Gage,	....	1,450	1,630	2,488	....	3,441	....	4,012	5,625	4,751	4,144	10,773
Johnson,	1,900	3,245	*3,245	1,520	2,060	2,380	2,865	1,314	*1,314	2,170	1,900	1,510
Jones,	....	....	....	....	....	....	....	....	....	....	....	1,325
Kearney,	....	....	....	....	....	....	....	....	....	....	3,009	*3,009
Lancaster,	....	....	....	....	....	....	....	....	....	....	....	120
Nemaha,	116.826	75,967	*75,967	87,310	112.603	121,612	28,140	37,269	*37,269	30,721	33,583	42,418
Otoe	312,467	393,775	413,795	285,507	322,458	475,078	106,509	24,013	....	37,070	38,616	75,657
Pawnee,	137	2,410	*,410	818	....	775	7,641	3,952	*3,952	2,859	4,860	11,404
Platte,	....	....	12,476	16,669	16,950	17,652	1,325	3,125	9,206	3,635	4,160	5,067
Richardson,	15,898	25,683	21,404	*21,404	20,000	36,652	17,745	18,048	10,396	*10,396	23,720	16 185
Sarpy,	117,115	54,224	50,111	42,145	18,296	42,977	12,445	20,219	1,202	868	1,537	6,761
Washington,	39,904	51,584	39,873	30,741	28 382	14,454	31,741	9,909	840	7.160	7,573	8,520
Total,	$2,588.730	$1,823,719	$1,363,419	$1,340,814	$1,180,812	$1,782,686	$287,540	$183,524	$153 083	$147,597	$234,190	$292,914

* Not reported, estimated the same as previous year.

Number of Carriages and Vehicles of all kinds, and their Total Value.

NAMES OF COUNTIES:	1859.		1860.		1861.		1862.		1863.		1864.	
	Number	Value.	Number	Value.	Number	Value.	Number	Value.	Number	Value.	Number	Value.
Burt		$2.405						$1.697	70	$2 755	131	$3.316
Cass		15 688		$15,965					503	14.835	579	22.533
Cedar		1,504							45	1.190	42	1.298
Clay									36	913	56	2.820
Cuming									17	472	24	733
Dakota	142	4,849		3,130	126	$3.052		3.350			172	4.543
Dixon	80	2,500	34	1.040	*34	1.040	46	685	43	70	59	1.591
Dodge		5,790	67	1,290	97	2.835		1.956	81	2.673	108	4,109
Douglas		8,355		10,045	380	8.250			463	22.907	515	20,231
Gage			51	2,454	72	2.616		3.160	137	4.094	110	4.023
Johnson	80	3,420		1.536		*1.536		1.601	97	2.317	77	2.374
Jones											31	1.141
Kearney									38	1.403	*38	1.403
Lancaster											32	580
Nemaha		14,607		10.787		*10.787	483	14.424	469	14 222	524	8,111
Otoe		12.826	341	13.893	670	24.425		20.157	707	42.874	743	38.821
Pawnee		3,665						3.535	159	4.136	173	6 312
Platte		1,170		2.592		4.175		3.309	122	4.627	127	5.119
Richardson	192	6,877		9.807	345	9.890	*345	9.890	198	7 920	444	14.561
Sarpy		7,228	173	4.758	199	5.225		5.007	206	5 794	249	9.500
Washington		5,067		5.368				4 960	139	3.905	220	7.153
Total	494	95.980	666	89.665	1.923	73.831	874	73.839	3.530	136.557	4.461	169 890

* Not reported, estimated the same as previous year.

Number of Neat Cattle and their Total Value.

NAMES OF COUNTIES.	1859.		1860.		1861.		1862.		1863.		1864.	
	Number	Value.	Number	Value.	Number	Value.	Number	Value.	Number	Value.	Number	Value.
Burt	406	$6,781	447	$5,198	701	$8,873	869	$9,061	904	$8 638	1,464	$17,917
Cass	2,158	41,413	2,673	42,315	3,681	50,531	4,569	50,413	4,821	49,679	5,413	87,491
Cedar	273	6,214	346	6,259	347	5,575	445	6,358	468	5,412	444	7,609
Clay	....	....	....	....	253	4,143	*253	4,143	386	5,489	493	9,936
Cuming	....	....	....	....	....	....	....	....	100	1,797	185	2 427
Dakota	817	17,105	754	13 548	978	16,416	1,258	15 569	....	....	2,025	26,451
Dixon	534	11,775	416	6,249	*416	6,249	520	894	519	6 471	233	3 204
Dodge	533	14,412	345	4 563	552	8,002	693	8 490	506	5,060	910	18,377
Douglas	374	10,178	546	10,875	807	18,675	*807	18,675	2,618	38,834	2 933	42,728
Gage	....	....	385	8,263	445	8,422	906	11,449	1,238	15,393	956	15,175
Johnson	486	8,469	387	4,639	*387	4,639	724	7,240	896	10,500	881	12,312
Jones	....	....	....	....	....	....	....	....	....	....	456	6,767
Kearney	....	....	....	....	....	....	....	....	322	7,035	*322	7 035
Lancaster	....	....	....	....	....	....	....	....	....	....	610	6,547
Nemaha	2,080	35,627	1,978	27,1	*1,978	27,151	3,662	34,348	3,838	41 646	4,880	61,764
Otoe	1,125	23 946	3 133	30,1	3 006	37 899	2.247	25,834	6,205	104 397	6 959	129,504
Pawnee	665	12,837	774	11,062	*774	11 062	1,493	14,360	1,692	20 005	2.099	35,108
Platte	186	4,623	613	10,001	961	17.431	1,064	15,318	1,270	17.239	1,523	25,225
Richardson	1,726	22,677	2,466	32,187	2,965	33,661	*2,965	33,661	4 416	35 328	5.203	60,324
Sarpy	987	20 289	1 094	13 542	1 330	16 465	1 772	19,242	2,137	21,856	2 605	37,115
Washington	470	11 558	845	13 680	945	14,421	1 404	19 484	1 572	18 935	1,832	27,752
Total	12 890	247 914	17.202	239.629	20 396	287.615	25,649	294 589	33.706	413 114	42.426	640,858

* Not reported, estimated the same as previous year.

Number of Swine and their Total Value.

NAMES OF COUNTIES.	1859.		1860.		1861.		1862.		1863.		1864.	
	Number	Value.	Number	Value.	Number	Value.	Number	Value.	Number	Value.	Number	Value.
Burt	122	$322	286	$513	502	$783	746	$828	797	$853	796	$782
Cass	1 629	4,295	2,539	6,213	3 084	5,597	3,253	4,622	3,571	4,640	2,744	3,550
Cedar	72	307	178	359	257	656	518	879	405	419	170	236
Clay	....	....	....	....	166	361	*166	361	163	263	131	276
Cuming	....	....	....	....	....	....	....	....	....	....	54	54
Dakota	249	879	329	604	486	945	857	967	....	....	514	313
Dixon	115	473	173	373	*173	373	480	505	320	160	834	583
Dodge	191	604	131	270	307	705	116	203	96	256	159	247
Douglas	172	720	193	753	362	1 096	*362	1,096	898	1 845	636	1,205
Gage	....	....	120	317	209	465	486	909	534	766	197	218
Johnson	325	625	383	641	*383	641	462	924	673	725	467	701
Jones	....	....	....	....	....	....	....	....	....	....	29	86
Kearney	....	....	....	....	....	....	....	....	5	15	*5	15
Lancaster	....	....	....	....	....	....	....	....	....	....	101	170
Nemaha	1,424	2 869	1,766	3,486	*1 766	3,486	3 591	4 318	5,114	5,521	4,307	4,599
Otoe	544	1,375	1,329	2,641	2 376	4 256	2,213	2,364	3,241	4,006	1,947	2,158
Pawnee	362	716	683	1 322	*683	1,322	1 113	1,810	1,643	1,811	1,065	1,696
Platte	61	164	155	388	174	448	162	271	221	409	202	495
Richardson	1,494	1,562	2,126	3 033	2,701	3,147	*2,701	3,147	5,655	7,180	5,285	5 826
Sarpy	518	1,775	605	1,696	777	1 307	811	956	732	891	589	965
Washington	249	821	606	1,483	787	1 399	1,038	1 784	1 285	1,861	878	1,227
Total	7,437	17,507	11,607	24 212	17 143	27,596	19 95	25,894	24,755	31,621	21,110	2[illegible],312

---

* Not reported, estimated the same as previous year.

Amount of Property Invested in Merchandise and Manufactures.

NAMES OF COUNTIES.	Merchandise.						Manufactures.					
	1859.	1860.	1861.	1862.	1863.	1864.	1859.	1860.	1861.	1862.	1863.	1864.
Burt	$1,200	$1,220	$1,175	$1,275	$2,405	$4,647	$600	....	$900	$1,130	$400	....
Cass	24,640	27,575	....	31,970	....	68 346	3,500	$2,750	....	....	....	$1,585
Cedar	700	765	570	625	200	200	3,850	3,234	2,800	2,910	2,030	2,486
Clay	....	....	....	....	....	....	....	....	1,600	*1,600	....	....
Cuming	....	....	....	....	....	....	....	....	....	....	1,000	1,000
Dakota	3,425	3.160	3,500	2,970	....	5,684	7,700	5,000	1,375	2,745	....	600
Dixon	625	670	*670	10	....	343	5,540	800	*800	2,000	900	1,700
Dodge	725	600	600	750	1,750	2,500	5,660	500	....	40	....	50
Douglas	29,420	118,682	80,068	*80,068	141,845	198,307	2,400	2,450	1,367	*1 367	43,210	21,950
Gage	....	605	....	100	1,865	2,250	....	2,236	1,500	45	800	250
Johnson	....	40	*40	75	150	020	....	....	....	20	525	400
Jones	....	....	....	....	....	2,100	....	....	....	....	....	....
Kearney	....	....	....	....	6,800	....	....	....	....	....	....	....
Lancaster	....	....	....	....	....	....	....	....	....	....	....	1,724
Nemaha	18,163	23,831	*23,831	21,862	34,275	47,725	....	6 225	*6.225	11,930	12,629	19,160
Otoe	76,287	75,600	46,520	42,503	55,735	161,550	5,875	2,552	12,450	5,095	8,715	9 570
Pawnee	1.970	3,500	*3 500	1,100	3,300	6,950	....	....	....	700	3,700	400
Platte	800	2,225	2,960	2,600	*3,445	4,150	150	4,200	375	575	688	1,120
Richardson	11,215	7,502	6.615	*6,615	6,100	21,832	....	4,050	6,709	*6,709	5 400	2,000
Sarpy	8,100	5,684	2,410	2,020	4,430	3,535	535	2.005	175	30	130	7,400
Washington	5,230	3,293	4,250	2,300	2,600	1,500	11,550	....	400	2,852	1,670	3,620
Total	$82,500	$274 952	$176,709	$196,843	$264,900	$582.539	$47,360	$36 002	$36,676	$39.748	$81 797	$75,045

* Not reported, estimated the same as previous year.

Value of Taxable Household Furniture, and all other Property not Enumerated and not Exempted.

Names of Counties.	Household Furniture.						Unenumerated Property.					
	1859.	1860.	1861.	1862.	1863.	1864.	1859.	1860.	1861.	1862.	1863.	1864.
Burt	$569	....	....	$150	....	....	$180	$4,442	$2,806	$570	$391	$924
Cass	....	....	....	....	$2,961	$727	7,819	5,673	93,004	64,269	50,511	34,644
Cedar	....	....	....	....	....	....	3,377	5,992	2,145	2,153	687	344
Clay	....	....	....	....	....	....	....	....	1,198	*1,198	186	1,578
Cuming	....	....	....	....	....	....	....	....	....	....	280	250
Dakota	195	$14,000	$400	580	....	600	4,918	11,553	360	1,964	38,395	1,371
Dixon	....	....	....	....	....	....	2,895	....	....	....	....	385
Dodge	....	....	....	25	....	....	2,068	220	403	545	....	1,025
Douglas	5,035	52,970	42,573	*42,573	18,408	14,645	152,965	49,000	86,300	*145,911	47,214	75,179
Gage	....	70	....	....	....	....	....	2,977	2,038	1,373	2,817	3,188
Johnson	438	151	*151	204	88	63	758	775	*775	398	....	107
Jones	....	....	....	....	....	....	....	....	....	....	....	987
Kearney	....	....	....	....	350	....	....	....	....	....	3,500	*3,500
Lancaster	....	....	....	....	....	....	....	....	....	....	....	620
Nemaha	....	....	....	60	525	1,515	20,663	19,523	*19,523	6,757	9,286	13,785
Otoe	13,558	4,840	....	1,415	4,565	5,839	13,050	8,042	58,970	8,497	13,714	15,308
Pawnee	165	....	....	....	....	....	....	8,209	*8,209	417	348	2,199
Platte	25	200	228	300	461	1,433	13,800	10,748	7,907	7,183	7,516	5,861
Richardson	....	566	393	*393	1,250	235	5,949	976	867	*867	1,875	2,400
Sarpy	4,205	....	....	250	220	170	3,878	2,692	2,445	2,314	3,470	4,108
Washington	660	505	....	260	175	340	2,280	5,640	9,292	6,157	2,100	5,600
Total	22,845	108,802	53,745	46,210	29,003	25,567	234,600	188,462	296,325	263,523	182,990	172,838

* Not reported, estimated the same as previous year.

Number of Horses, and their total value.

NAMES OF COUNTIES.	1859.		1860.		1861.		1862.		1863.		1864.	
	Number	Value.	Number	Value.	Numb r	Value.	Number	Value.	Number	Value.	Number	Value.
Burt	62	$3 895	66	$2,745	102	$4,550	121	$5 143	79	$3,425	254	$14 750
Cass	617	39,381	690	39 442	866	45,752	943	42.414	1,005	7,506	1,425	84 853
Cedar	49	2,220	44	2,240	52	2 715	49	2 301	40	2,055	64	4,077
Clay	....	....	....	....	54	2,590	*54	2 590	76	3,845	50	7 368
Cuming	....	....	....	....	....	....	....	....	11	600	28	1,395
Dakota	146	8,268	117	6 038	149	7,495	182	8 498	....	....	267	16,944
Dixon	51	3 030	44	1 719	*44	1,719	59	3 110	60	2.620	103	5,884
Dodge	124	8 890	65	2,512	113	3 260	137	3 957	136	7.650	182	11 327
Douglas	171	13,490	242	16 940	275	21 625	*275	21 625	719	45,370	837	59 958
Gage	....	....	55	3 426	98	5,865	164	8 400	253	12,000	99	11,562
Johnson	111	7 080	91	3 820	*91	3 820	140	5 506	171	7,835	221	11,140
Jones	....	....	....	....	....	....	....	....	....	....	79	5,845
Kearney	....	....	....	....	....	....	....	....	51	3,035	*51	3,035
Lancaster	....	....	....	....	....	....	....	....	....	....	76	3,580
Nemaha	518	34 490	624	33,292	*624	33,292	1 083	42,270	1 047	49,898	1,325	80 863
Otoe	282	27 281	537	31 315	782	38 534	662	26,664	1,017	49 225	1 361	75,489
Pawnee	164	9 975	173	9,170	*173	9,170	503	12,014	338	17,200	529	25.633
Platte	26	1 810	77	4.125	167	8 736	156	8 063	189	10,260	281	18,800
Richardson	389	17 583	589	27,228	645	27,422	*645	27,422	1 776	71,040	1,146	56,268
Sarpy	257	18,385	307	13 535	328	12 892	358	13,765	146	21,275	599	33,810
Washington	110	2 900	175	9 745	225	11 043	304	16.006	268	13 920	396	26 735
Total	3 087	203,683	3 896	196 287	4,808	240 480	5 835	249 798	7,682	373 669	9 373	579,316

* Not reported, estimated the same as previous year.

Number of Mules and Asses, and their total value.

NAMES OF COUNTIES.	1859.		1860.		1861.		1862.		1863.		1864.	
	Number	Value.	Number	Value.	Number	Value	Number	Value.	Number	Value.	Number	Value.
Burt	....	....	4	$50	3	$200	9	$545	2	$115	4	$280
Cass	21	$2,035	19	1,675	45	2,960	55	3,115	64	3,681	120	12,878
Cedar	3	170	2	150	2	125	6	250	6	340	....	....
Clay	....	....	....	....	....	....	....	....	....	....	....	....
Cuming	....	....	....	....	....	....	....	....	....	....	....	....
Dakota	6	475	8	725	10	555	22	1,402	....	....	5	380
Dixon	5	285	....	....	....	....	....	....	1	25	2	125
Dodge	10	1,550	5	220	16	755	5	137	10	670	18	1,800
Douglas	22	1,850	14	1 050	73	7 300	*73	7,300	177	16,665	309	20,497
Gage	....	....	....	....	....	....	....	....	....	....	7	800
Johnson	2	70	....	....	....	....	....	....	5	245	2	150
Jones	....	....	....	....	....	....	....	....	....	....	9	1,000
Kearney	....	....	....	....	....	....	....	....	6	190	*6	190
Lancaster	....	....	....	....	....	....	....	....	....	....	....	....
Nemaha	33	3,072	8	530	*8	530	....	....	....	....	....	....
Otoe	45	3,090	47	2,495	89	6,070	71	3,975	121	9,155	148	14,835
Pawnee	....	....	....	....	....	....	....	....	....	....	....	....
Platte	1	80	4	265	12	800	14	715	8	485	12	940
Richardson	2	200	....	....	....	....	....	....	....	....	....	....
Sarpy	11	1,100	10	570	11	530	24	1 275	4	280	16	1,505
Washington	14	1 095	6	540	6	465	13	1 010	20	1,240	20	1,960
Total	175	15 072	125	8 270	275	20 290	289	19,724	423	33,091	678	57,340

*Not reported, estimated the same as previous year.

Number of Sheep, and their Total Value.

NAMES OF COUNTIES.	1859.		1860.		1861.		1862.		1863.		1864.	
	Number	Value.	Number	Value.	Number	Value.	Number	Value.	Number	Value.	Number	Value.
Burt			5	$9	21	$34	26	$45			106	$530
Cass	452	$665	323	678	606	1,173	244				788	2 364
Cedar			2	5	2	5			8	$35		
Clay					15	19	*15	19			185	555
Cuming												
Dakota	22	44	25	37	37	65					19	54
Dixon			2	3	2	3						
Dodge	6	7	6	6	9	13			3	15		
Douglas			20	160					194		710	2,110
Gage							4	8	15			
Johnson	23	45	63	72	*63	72	112	185	217	618	325	1,195
Jones											6	15
Kearney												
Lancaster												
Nemaha	280	417	274	569	*274	569			563	110		
Otoe	143	277	77	197	204	331					505	2,321
Pawnee	78	101	91	155	*91	155	187	207			33	165
Platte			1	8	8	20	10	21	14	30		
Richardson	271	272	537	591	619	690	*619	690			380	900
Sarpy	58	87	54	79	103	2 5	25		104			
Washington	4	4			8	12	6	10			3	8
Total	1,337	1,919	1,483	2,569	2,072	3,384	1,248	1,185	1,018	808	3,060	10 200

* Not reported, estimated the same as previous year.

RECAPITULATION of Assessments for the several years from 1859 to 1864, inclusive.

	1859.		1860.		1861.		1862.		1863.		1864.	
	Number	Value.	Number	Value.	Number	Value.	Number	Value	Number	Value.	Number	Value.
Acres of Land....	762,994	$3,738,539	1.066.123	$4.004.198	1.328.170	$3.648.143	1.431.134	$3.416.275	1.542.200	$4.213.352	1.634.273	$4.703.582
Town Lots..........................	....	2.588.730	....	1.823.719	....	1.365 419	....	1.340.814	....	1.180.812	....	1.782.686
Stocks, Shares, Moneys, Credits	....	287.540	....	183.524	....	153.033	....	147.597	....	234.190	....	292.914
Merchandise..........................	....	82.500	....	274.952	....	176 709	....	196.843	....	264.900	....	532.539
Manufactures........................	....	47.360	....	36.002	....	36.676	....	39.748	....	81.797	....	75,045
Horses	3.087	203.683	3.896	196.287	4.808	240.480	5.835	249.798	7.682	373.669	9.373	579.316
Mules and Asses....................	175	15.072	125	8.270	275	20.290	289	19.724	423	33.091	678	57.340
Neat Cattle,..........................	12.820	247.914	17.002	239.629	20.396	287.615	25.649	294.539	33.706	413.114	42.426	640.858
Swine..................................	7.437	17.507	11 607	24.212	17 143	27.596	19.295	25.894	24.755	31.621	21.110	25.342
Sheep..................................	1.337	1.919	1 483	2.569	2.072	3 384	1.248	1.185	1 018	808	3,060	10,200
Carriages and Vehicles..........	494	95.989	666	82.665	1.923	73.831	874	73.839	3.530	136.557	4.461	169.890
Taxable Household Furniture,.	....	22.845	....	103 302	....	53.745	....	46 210	....	29.003	....	25.567
Unenumerated Property........	....	234.600	....	138.462	....	296.325	....	253 523	....	182.290	....	172.838
Total..................................	....	7.584.194	....	7.117.791	....	6.383.247	....	6 089.989	....	7.175.204	....	9.078.117

STATEMENT

SHOWING

AMOUNTS LEVIED AND COLLECTED

IN THE

SEVERAL COUNTIES.

BURT COUNTY.

In Account with General Fund.

For 1859.

		Dr.	*Cr.*
June 1, 1859.	To amount of tax levy for 1859....................................	$420 82	
	Balance due Territory for 1859..........		$420 82

For 1860.

June 1, 1860.	To amount of tax levy for 1860......................................	461 03	
Jan. 8, 1861.	By am't paid to Territorial Treasurer by I. R. Conklin, Co. Treas.		187 66
" " "	To amount of error—over credit on account of 1860	6 00	
" 11, "	By two-thirds tax levy 1860 refunded to Co..........................		217 35
Oct. 3, "	" am't paid to Territorial Treasurer by J. R. Conklin, Co. Treas.		32 44
Apr. 21, 1863.	To penalty and interest collected by J. R. Conklin, Co. Treas.....	4 93	
Dec. 22, "	By am't paid to Territorial Treasurer by J. R. Conklin, Co. Treas.		1 99
" " "	To penalty and interest collected by J. R. Conklin, Co. Treas.....	31	
" 31 "	By error in credit of two-thirds tax levy of 1860 refunded.........		90 00
Nov. 7, 1864.	By amount paid to Territorial Treasurer by J. B. Cox, Co. Treas.		2
	Balance due County......................	57 19	

For 1861.

June 11, 1861.	Ta amount of tax levy for 1861......................................	262 03	
Dec. 23, 1862.	By am't paid to Territorial Treasurer by J. R. Conklin, Co. Troas.		140 46
Jan. 16, 1863.	" " " " " "		19 12
Feb. 18, "	" " " " " "		48 57
" 21, "	" " " " " "		1 74
Apr. 18, "	" " " " " "		10 74
" 21, "	To penalty and interest collected by " "	4 62	
Dec. 10, 1863.	By am't paid to Territorial Treasurer by " "		9 32
do 22, do	" " " " " "		7 00
do 22, do	To penalty and interest collected by " "	1 24	
Nov. 7, 1864.	By amount paid to Territorial Treasurer by J. B. Cox.............		5 98
do 7, do	To penalty and interest collected by do	1 35	
Dec. 15, do	To addition to tax list rep. by Z. B. Wilder, Co. Clerk, Dec. 14,'64	59 74	
	Balance due Territory for 1861,..........		81 05

For 1862.

May 31, 1862.	To amount of tax levy for 1862......................................	207 27	
Apr. 18, 1863.	By am't paid to Territorial Treasurer by J. R. Conklin, Co. Treas.		8 62
do 21, do	do do do do do		16 00
May 22, do	do do do do do		10 16
Dec 10, do	do do do do do		68
do 22, do	do do do do do		133 73
do 22, do	To penalty and interest collected by do do	7 90	
Nov. 7, 1864.	By am't paid to Territorial Treasurer by J. B. Cox, Co. Treas.....		23 17
do 7, do	To penalty and interest collected by do do	3 38	
	Balance due Territory for 1862..........		26 55

For 1863.

June 1, 1863.	To amount of tax levy for 1863	135 57	
Aug. 27, 1864.	By am't paid to Territorial Treasurer by J. B. Cox, Co. Treas.		22 00
Nov. 7, 1864.	do do do do do do		72 77
Nov. 7, 1864.	To penalty and interest collected by do do	1 38	
Dec. 15, 1864.	To addition to tax list rep. by Z B. Wilder, Co. Clerk, Dec. 14, '64	7 96	
	Balanue due Territory for 1863		40 11

For 1864.

May 24, 1864.	To amount of tax levy for 1864	352 59	
Dec. 15, 1864.	To additions to tax list rep. by Z. B. Wilder, Co. Clerk, Dec. 14, '64	108 27	
	Balance due Territory for 1864		460 86

Burt Co. in account with Sinking Fund.

For 1863.

June 1, 1863.	To amount of tax levy for 1863	90 38	
Nov. 7, 1864.	By amount paid to Territorial Treasurer by J. B. Cox, Co. Treas.		69 90
Nov. 7, 1864.	To penalty and interest collected by do do	98	
Dec. 15, 1864.	To additions to tax list rep. by Z. B. Wilder, Co. Clerk, Dec. 14, '64	5 31	
	Balance due for 1863		26 77

For 1864.

May 24, 1864.	To amount of tax levy for 1864	141 04	
	To additions to tax list rep. by Z B. Wilder, Co. Clerk, Dec. 14, '64	43 20	
	Balance due for 1864		184 24

CASS COUNTY.

In Account with General Fund.

For 1859.

		Dr.	Cr.
June 1, 1859.	To amount of tax levy for 1859	$3,009 91	
May 14, 1856.	By amount paid to Territorial Treasurer by W. Caldwell, County Treasurer, credited to account of 1859		$66 20
June 11, 1861.	To amount of tax levy for 1861	174 69	
Nov. 1, 1862.	By am't paid to Territorial Treasurer by J. R. Conklin, Co. Treas.		130 00
Feb. 18, 1863.	do do do do do		13 72
Dec. 22, 1863.	do do do do do		6 41
Dec. 22, 1863.	To penalty and interest collected by do do	99	
Nov. 7, 1864.	By amount paid to Territorial Treasurer by J. B. Cox, Co. Treas.		4 44
Nov. 7, 1864.	To penalty and interest collected do do do	90	
Dec. 15, 1864.	To additions to tax list rep. by Z. B. Wilder, Co. Clerk, Dec. 14, '64	39 82	
Dec. 15, 1864.	To penalty and interest collected by J. R. Conklin, Co. Treas. reported Dec. 5, 1863	2 39	
	Balance due Territory for 1861		64 22

For 1862.

May 31, 1862.	To amount of tax levy for 1862	138 18	
Dec. 22, 1863.	By amount paid Territorial Treasurer by J. R. Conklin, Co. Treas.		90 71
Dec. 22, 1863.	To penalty and interest collected by do do	5 06	
Nov. 7, 1864.	By amount paid Territorial Treasurer by J. B. Cox do		15 30
Nov. 7, 1864.	To penalty and interest collected by do do	2 20	
	Balance due for 1862		39 43

Dec. 16, 1859.	By am't paid to Territorial Treasurer by J. D. Simpson, Co. Treas.		60 85
Jan. 12, 1861.	By am't paid to Territorial Treasurer by J. D. Simpson, Co. Treas.		1,504 68
April 5, 1861.	By am't paid to Territorial Treasurer by J. D. Simpson, Co. Treas.		419 45
Sept. 27, 1861.	By amount paid Territorial Treasurer by J. D. Simpson, Co. Treas.		106 38
June 19, 1862.	By amount paid to Territorial Treasurer by S. Duke, Co. Treas.		8 20
Oct. 13, 1862.	By amount paid to Territorial Treasurer by S. Duke, Co. Treas.		115 58
June 16, 1863.	By amount paid to Territorial Treasurer by S. Duke, Co. Treas.		180 51
June 16, 1863.	To penalty and interest collected by S. Duke, Co. Treas..............	79 42	
Oct. 3, 1863.	By amount paid to Territorial Treasurer by S. Duke, co. Treas. on account of 1859..		90 47
Dec. 31, 1863.	To additions to tax list, reported by J. M. Wise, county clerk, Aug. 29, 1859..	32 18	
June 14, 1864.	By amount paid to Territorial Treasurer by S. Duke, co. Treas.		85 89
Nov. 18, 1864.	By amount paid to Territorial Treasurer by S. Duke, co. Treas.		248 95
Nov. 18, 1864.	To penalty and interest collected by S. Duke, county Treasurer	192 45	
	Balance due Territory for 1859...............		427 20

For 1860.

June 1, 1860.	To amount of tax levy for 1860..	3,000 00	
May 31, 1862.	By two-thirds tax levy refunded..		2,000 00
April 5, 1861.	By am't paid to Territorial Treasurer by J. D. Simpson, Co. Treas.		539 42
Sept. 27, 1861.	do do do do do		407 70
Mar. 6. 1862.	To amount of certificate on warrant 815, credited in full............	41 79	
Feb. 12, 1864.	By am't paid to territorial treasurer by S. Duke, county treas...		52 86
Nov. 18, 1864.	do do do do		41 81
Dec. 15, 1864.	To one-third of additions to tax list reported by B. Spurlock county clerk..	147 83	
	Balance due Territory for 1860..		147 83

FOR 1861.

June 11, 1861.	To amount of Tax Levy for 1861..	1,520 35	
June 19. 1862.	By am't paid to territorial treasurer by S Duke, county treas...		582 44
Oct. 13, 1862.	do do do do		417 26
June 16. 1863.	do do do do		196 06
do	To Penalty and Interest collected do do	35 14	
Oct. 3, 1863.	By amount paid to territorial treasurer do do		54 53
do	To Penalty and Interest collected by do do	9 16	
Jan, 14, 1864.	By amount paid to territorial teasurer by do do		123 93
Nov. 18, 1862.	do do do do		44 91
do	To Penalty and Interest collected by do do	39 97	
Dec. 15, 1864.	To additions to tax list, reported by B. Spurlock, county clerk....	78 14	
	Balance due Territory for 1861..		263 63

FOR 1862.

May 31, 1862.	To amount of Tax Levy for 1862..	1,336 71	
June 16, 1863.	By amount paid to territorial treasurer by S, Duke, county treas.		539 64
Oct. 2, 1863.	do do do do		147 54
Oct. 3, 1863.	do do do do		29 96
do	To Penalty and Interest collected by do do	6 10	
Dec, 12, 1863.	By amount paid to territorial treasurer by do do		125 00
Jan. 16, 1864.	do do do do do		8 80
June 14, 1864.	do do do do do		179 23
Nov. 18, 1864.	do do do do do		178 77
do	To Penalty and Interest collected by do do	56 44	
Dec. 15, 1864.	To additions to tax list reported by B. Spurlock, county clerk...	23 44	
	Balance due Territory for 1862..		213 76

FOR 1863.

June 1, 1863.	To amount of Tax Levy for 1863..	1,401 35	
June 14, 1864.	By amount paid to territorial treasurer by S. Duke, county treas..		682 23
Nov. 18. 1864.	do do do do		473 88
do	To Penalty and Interest collected by do do	17 36	
Dec. 15, 1864.	To addition to tax list, reported by B. Spurlock, county treasurer.	44 60	
	Balance due Territory for 1863..		307 20

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864..	2,843 71	
Dec. 15, 1864.	To additions to tax list, reported by B. Spurlock, county clerk...	2 39	
	Balance due Territory for 1864..		2,846 10

Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	1,013 57	
June 12, 1862.	By amount paid to territorial treasurer by S. Duke, county treas.		185 09
June 19, 1862.	do do do do		190 05
Oct. 13, 1862.	do do do do		200 08
June 16, 1863.	do do do do		187 41
Oct. 2, 1863.	do do do do		4 61
June 14, 1864.	do do do do		95 [illegible]
Nov. 18, 1864.	do do do do		126 49
do	To penalty and interest, collected by do do	56 49	
Dec. 15, 1864.	To additions to tax list, reported by B. Spurlock county clerk	50 70	
	Balance due Territory for 1861		182 15

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	891 14	
June 16, 1863.	By amount paid to territorial treasurer by S. Duke, county treas.		370 09
Oct. 2, 1863.	do do do do		165 39
June 14, 1864.	do do do do		133 29
Nov. 18, 1864.	do do do do		136 55
do	To penalty and interest collected by do do	41 87	
Dec. 15, 1864.	To additions to tax list, reported by B. Spurlock, county clerk	11 72	
	Balance due Territory for 1862		134 41

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	934 30	
June 14, 1864.	By am't paid to territorial treasurer by S. Duke, county treas		507 89
Nov. 18, 1864.	do do do do		261 09
do	To penalty and interest collected by do do	11 55	
Dec. 15, 1864.	To additions to tax list, reported by B. Spurtock, county elerk	46 64	
	Balance due Territory for 1863		223 59

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	1,137 49	
Dec. 15, 1864.	To addition to tax list, reported by B. Spurlock, county clerk	46 64	
	Balance due Territory for 1864		1,140 37

CEDAR COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859.	To amount of tax levy for 1859	56 09	
Jan. 11, 1861.	By amount paid to territorial treasurer by G. S. Hall, county treasurer.		67 57
do	By penalty and interest paid do do do		2 88
do	To penalty and interest collected do do	2 88	
Nov. 19, 1862.	By amount paid to territorial treasurer by J. S. McCoubrey, county treasurer		17 52
Dec. 15, 1863.	do do do		2 00
Dec. 31, 1863.	To additions to tax list, reported by J. S. McCoubrey, county treasurer, Nov. 16, 1863 for 1859	44 13	
	Balance due Territory for 1859		23 13

FOR 1860.

June 1, 1860.	To amount of tax levy for 1860	114 29	
Jan. 11, 1861.	By two-thirds of tax levy for 1860 refunded		76 19
do	By amount paid to territorial treasurer by G. A. Hall, county treasurer		63 20
Oct. 29, 1861.	do do do do		16 67
Nov. 19, 1862.	do do by J. S. McCoubrey, county treasurer		10 15
Dec. 31, 1863.	To additions to tax list, reported by J. S. McCoubrey, county treasurer, Nov. 16, 1863 for 1860	2 60	
Dec. 15, 1864.	By two-thirds of additions charged to county Dec. 31, 1863 refunded		1 73
	Balance due county for 1860	47 49	

CLAY COUNTY.

In Account with General Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	41 86	
Oct 4, 1862.	By amount paid to terr treas by J W Pray, county treasurer		62 77
Oct 26, 1863.	do do do do		1 82
Dec 31, 1863.	To additions to tax list reported by co cl'k and treas. May 28, '63	30 52	
Dec 15, 1864.	To penalty and interest collected by J W Pray, county treas. reported. May 5 1862	2 58	
	Balance due Territory for 1861		10 37

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	41 86	
Oct 26, 1863.	By amount paid to terr treas by J W Prey, county treasurer		40 07
Dec 31, 1863.	To additions to tax list, reported by county cl'k and treas May 28, 1863 for 1862	10 20	
	Balance due Territory for 1862		11 99

FOR 1863.

June 1, 1863.	To amount og tax levy for 1863	42 68	
	Balance due Territory for 1863		42 68

FOR 1864.

May 24 1864.	To amount of tax levy for 1864	99 09	
	Balance due Territory for 1864		99 09

Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	27 91	
Oct 4, 1862.	By amount paid to terr treas by J W Pray, county treasurer		25 80
Oct 26, 1863.	do do do do		1 09
Dec 5, 1863.	To additions to tax list, reported by county cl'k and treas. May 5, 1852	1 00	
do	To penalty and interest collected by co treas. reported May 5, '62	1 10	
	Balance due Territory for 1861		3 12

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	27 91	
Oct 26, 1863.	By am't paid to terr treas. by J W Pray, county treasurer		26 71
Dec 31, 1863.	To additions tr tax list, reported by county cl'k and treasurer, May 28, 1863, for 1862	4 36	
	Balance due Territory for 1862		5 56

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	28 45	
	Balance due Territory for 1863		28 45

FOR 1864.

May 24, 1863.	To amount of tax levy for 1864	39 64	
	Balanoe due Territory for 1864		39 64

CUMING COUNTY.

In Account with General Fund.

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	10 61	
Feb 11, 1864.	By am't paid to terr treas by Jno McKirahan, county treas		8 70
	Balance due Territory far 1863		1 9

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	21 09	
Nov 14, 1864.	By am't paid to terr treas by J J Schademan, county treasurer		20 03
	Balance due Territory for 1864		1 06

Sinking Fund.

FOR 1863.

Jtne 1, 1863.	To amount of tax levy for 1863	7 07	
Feb 11, 1864.	By amount paid to terr treas by Jno McKirahan, county treasurer		5 80
	Balance due Territory for 1863		1 27

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	8 44	
Nov 14, 1864.	By amount paid err treas by J J Schademan, county treasurer		8 07
	Balance due Territory for 1864		37

DAKOTA COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859.	To amount of tax levy for 1859	324 73	
Jan 10, 1860.	By amount paid to territorial treasurer by G. A. Hinsdale, county treasurer		32 00
March 14, "	By amount paid to territorial treas. by M. Pinkerton co. treas.		65 20
June 5, "	do do do		77 50
Jan. 3, 1861.	do do do		27 00
do	By penalty and interest paid to territorial treasurer by M. Pinkerton co. treas		3 00
do	To amount penalty and collected by M Pinkerton. co. treas	3 00	
	Balance due territory for 1859		123 03

FOR 1860.

June 1, 1860.	To amount of tax levy for 1860	468 90	
Jan. 3, 1861.	By amount paid to territorial treas. by M. Pinkerton co. treas.		99 00
do	By amount of penalty and interest paid to territorial treas. by M. Pinkerton co. treas		2 00
do	To penalty and interest collected by M. Pinkerton co. treas	2 00	
Jan. 11, 1861.	By two thirds tax levy for 1860 refundnd		312 60
	Brlance due territory 1860		57 30

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	347 77	
Dec. 31, 1862.	By amount paid territorial treas. by John McCarthy co. treas		100 52
	Balance due territory for 1861		247 25

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	320 27	
Nov. 10, 1863.	By amount paid to terr'l treas. by John McCarthy co. treas		111 49
Jan. 16, 1864.	do do do		76 30
	Balance due territory for 1862		132 48

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	320 27	
Sept. 19, 1864.	By amount paid to territorial treas. by John McCarthy co. treas.		64 87
Oct. 24, 1864.	do do Wm. Adair do		140 66
do	To penalty and interest collected by do do	9 29	
	Balance due territory for 1863		124 03

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	477 76	
	Balance due territory for 1864		477 76

Sinking Fund.

FOR 1861.

June	11, 1861.	To amount of tax levy for 1861	231 85	
		Balance due territory for 1861		231 85

FOR 1862.

May	31, 1862.	To amount of tax levy for 1862	213 51	
Jan.	16, 1864.	By amount paid territorial treas. by J. McCarthy co. treas		122 50
		Balance due territory for 1862		91 01

FOR 1863.

June	1, 1863.	To amount of tax levy for 1863	213 51	
Sept.	19, 1864.	By amount paid to territorial treas. by J McCarthy co. treas.		43 00
Oct.	24, do	do do Wm. Adair do		108 75
	do	To penalty and interest collected by do do	6 05	
		Balance due territory for 1863		67 72

FOR 1864.

May	24, 1864.	To amount of tax levy for 1864	191 18	
		Balance due territory for 1864		191 18

DIXON COUNTY.

In Account with General Fund.

FOR 1859.

June	1, 1859.	To amount of tax levy for 1859	97 40	
Jan.	2, 1860.	By amount paid to territorial treasurer by J. Malone co. treas		71 29
Oct.	29, 1861.	do do do		7 13
Nov.	9, 1863	do do L Davis do		[illegible]
Dec.	15, 1864.	To penalty and interest collected, reported by co. clerk, May 13th, 1863	1 42	
		Balance due territory for 1859		19 78

FOR 1860.

June	1, 1860.	To amount of tax levy for 1860	91 28	
Jan.	11, 1861.	By two-thirds of tax levy for 1860 refunded		60 85
May	1, do	By amount paid to territorial treas. by J. Malone co. treas		91 94
Oct.	29, do	do do do		8 12
Nov.	9, 1863.	do do L. Davis do		7 13
Dec.	31, do	To additions to tax list reported by co clerk and treas. Dec. 1, 1863, for 1860	6 15	
Dec.	15, 1864.	To additions to tax list reported by E. M. Bisbee co. clerk Dec. 7th, 1864	2 13	
	do	By two-thirds of additions reported, refunded to county		5 52
		Balance due county	67 22	

FOR 1861.

June	11, 1861.	To amount of tax levy for 1861	75 00	
Oct.	17, 1862.	By amount paid to territorial treas. by Gustavus Smith co. treas.		19 86
Nov.	9, 1863.	do do L. Davis do		14 56
		Balance due territory for 1861		40 58

FOR 1862.

June	3, 1862.	To amount of tax levy for 1862	38 26	
Nov.	9 1863.	By amount paid to territorial treas. by L. Davis co. treas		40 08
Dec.	10, do	do do do		2 93
do	31, do	To additions to tax list reported by co. clerk and treas. Dec. 1, 1863	5 74	
Dec.	15, 1864.	To penalty and interest collected reported by co. clerk May 13th, 1863	31	
		Balance due territory for 1862		1 20

FOR 1863.

June	1, 1863.	To amount of tax levy for 1863	50 77	
Dec.	10, 1864.	By amount paid to territorial treas. by L Davis co treas		11 17
do	15, do	To additions to tax list reported by E. M. Bisbee co. clerk Dec. 7th, 1863		6 97
		Balance due territory for 1863		46 39

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	100 63	
Dec. 15, 1864.	To additions to tax list reported by E. M Bisbee co. clerk, Dec 7	11 39	
	Balance due territory for 1864		112 02

Sinking Fund.

FOR 1861.

June 11, 1861.	To account of tax levy for 1861	50 00	
Oct. 17, 1862.	By amount paid to territorial treas. by G. Smith co treas		21 55
	Balance due territory for 1861		28 45

FOR 1862.

June 3, 1862.	To amount of tax levy for 1862	25 51	
Nov. 9, 1863.	By amount paid to territorial treas. by L. Davis co. treas		28 34
Dec, 31, do	To additions to tax list reported by co. clerk and co. treas. Dec. 1, 1863, for 1862	3 84	
do 15, 1864.	To penalty and interest collected, reported by co. clerk Oct 5th, 1863	21	
	Balance due territory for 1862		1 22

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	33 85	
Dec. 10, 1864.	By amount paid to territorial treas. by L. Davis co. treas		25 88
	Balance due territory for 1863		7 97

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	40 25	
Dec. 15, 1864.	To additions to tax list reported by E. M. Bisbee co. clerk Dec. 7th, 1864	4 65	
	Balance due territory for 1864	44 90	

DODGE COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859.	To amount of tax levy for 1859	478 34	
do 16, 1856.	By amount paid to territorial treas. by Isaac Underwood co. treas., credited to 1859		20 20
Dec. 10, 1859.	By amount paid to territorial treas. by Silas J. Francis co. treas.		85 80
Jan. 12, 1860.	do do do		165 02
Aug. 3, 1861.	do do H. C. Campbell do		74 45
	Balance due territory for 1859		132 87

FOR 1860.

June 1, 1860.	To amount of tax levy for 1859	241 90	
Jan. 18, do	By two-thirds tax levy refunded for 1860		161 26
Dec. 5, do	By amount paid to territorial treas. by H. C. Campbell co. treas.		171 47
Aug. 3, 1861.	do do do		33 17
Dec. 19, do	To warrants for amount over paid on account for 1860	124 00	
Dec. 15, 1864.	To collection fees on amount, refunded Dec 19th, 1861	4 96	
	Balance due territory for 1860		4 96

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	136 02	
Oct. 17, 1862.	By amount paid to territorial treas by H C Campbell co treas		107 08
do 15, 1864.	do do Theron Nye do		83
Nov. 12, do	do do do do		1 75
do	To penalty and interest collected do do	64	
	Balance due territory for 1861		27 00

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	251 62	
Nov 18, 1863.	By amount paid to territorial treasurer by H C Bampbell county treasurer		109 46
Oct 15, 1864.	By amount paid to territorial treasurer by T Nye for H C Campbell county treasnrer		35 59
do	By amount paid to territorial treasurer by T Nye county treas.		9 02
Nov 12, 1864.	do do do do		6 10
do	To penalty and interest collected do do do	2 40	
	Balance due territory for 1862		93 83

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	242 70	
Oct 15, 1864.	By amount paid to territorial treasurer by Theron Nye co. treas.		136 40
Nov 12, do	do do do do		4 75
do	To penalty and interest collected do do	1 08	
	Balance due territory for 1863		102 63

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	509 59	
Dec 15, do.	To additions to tax lists reported by E H Rogers county clerk Dec 12th, 1864	156 49	
	Balance due for 1864		666 08

Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	90 68	
Oct 17, 1862.	By amount paid to territorial treasurer by H C Campbell county treasurer		60 00
Nov 12, 1864.	By amount paid by Theron Nye for H C Campbell co. treas		1 46
do	To penalty and interest collecied by T Ney county treasurer	36	
	Balance due territory for 1861		29 58

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	167 74	
Nov 18, 1863.	By amount paid to territorial treasurer by H C Campbell county treasurer		50 00
Oct 15, 1864.	By amount paid to territorial treasurer by T Nye for H C Campbell county treasurer		40 00
do	By amount paid to territorial treasurer by T Nye county treas.		6 01
Nov 11. 1864.	do do do		4 29
do	To penalty and interest collected by do do	1 65	
	Balance due territory for 1862		69 09

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	161 80	
Oct 15, 1864.	By amount paid to territorial treasurer by T Nye county treas		90 85
Nov 12, do	do do do do		2 82
do	To penalty and interest collected by do do	72	
	Balance due territory for 1863		68 85

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	203 84	
Dec 15, do	To additions to tax list, reported by E H Rogers county clerk Dec 17th, 1864	62 23	
	Balance due for 1864		266 07

DOUGLAS COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859.	To amount of tax levy for 1859	6,318 10	
July 7, 1857.	By amount paid to territorial treas. by L G GoodWill co treas.		377 67
Aug 15, do	do do do do		978 06
Sept 10, do	do do J D N Thompson dep. co. treasurer for 1859		260 00

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	48 15	
Nov. 19, 1862.	By amount paid to territorial treas. by J. S. McCoubrey county treasurer.		49 44
Dec. 15, 1863.	do do do do		10 97
Dec. 31, 1863.	To additions to tax list, reported by J. S McCoubrey, county treasurer Nov. 17, 1863	32 31	
Dec. 15, 1864.	To penalty and interest reported by Peter Jeuel county treasurer Nov. 17. 1864	3 11	
	Balance due Territory for 1861		23 16

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	55 89	
Dec 10, 1863.	By amount paid to ter. treas by J S McCoubrey county treas...		20 00
Dec 15, 1863.	do do do do		19 49
Dec 15, 1864.	To amount of penalty and interest reported by Peter Jewel, county treasurer, Nov. 17, 1864	2 33	
	Balance due Territory for 1862		18 73

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	43 66	
Dec 15, 1864.	To amount of penalty and interest reported by Peter Jewel, county treasurer Nov 17, 1864	57	
	Balance due Territory for 1863		44 23

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	88 94	
	Balance due Territory for 1864		88 94

Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	32 10	
	Balance due Territory for 1861		32 10

FOR 1862.

May 31, 1862.	To amount of tax lexy for 1862	37 26	
Dec 10, 1863.	By am't paid to terr treas by J S McCoubrey, county treas		25 38
Dec 31, 1863.	To additions to tax list reported by J S McCoubrey, Nov 15, 1863 for 1862	1 76	
Dec 15, 1864.	To penalty and interest reported by Peter Jewel, county treas. Nov 17, 1864	1 62	
	Balance due Territory for 1862		15 26

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	29 11	
Dec 15, 1864.	To penalty and interest reported by Peter Jewel, county treas. Nov 17, 1864	36	
	Bal ance due Territory for 1863		29 47

FOR 1864.

May 24 1864.	To amount of tax levy for 1864	35 58	
	Balance due Territory for 1864		35 85

Jan 2, 1860.	By amount paid to territorial treas. by G W Forbes county treas.		2,069 37
Nov 26, 1861.	do do do		3,528 56
do	To unredeemed certificates on warrants. allowed in full............	675 85	
March 6, 1862.	To warrant No 27 and interest rejected................................	43 40	
do	To unredeemed certificate on warrant No 109........................	18	
do	Under allowance on warrant No 318.....................................		10 00
Dec 19, 1862.	By amount paid to territorial treasurer by J K Ish county treas.		54 84
Nov 23, 1853.	do do do		41 71
do	To penalty and interest collected by J K Ish county treasurer...	11 42	
Aug 23, 1864.	By amount paid territorial treas. do do		7 20
do	To penalty and interest collected do do	2 40	
Dec 10, 1864.	By amount paid to teriitorial treas. do do		1 84
do	To penalty and interest collected do do	60	
Dec 15, 1864.	do do by G W Forbes county treas. reported Nov 26th, 1861..........	82 53	
do	To penalty and interest collected by J K Ish county treas. Dec. 10, 1864..........	12 40	
	Balance due county for 1859..............................	182 37	

FOR 1860.

June 1, 1860.	To amount of tax levy for 1860..	3,000 00	
Jan 11, 1861.	By two-thirds of tax levy for 1860 refunded..............................		2,000 00
Nov 26. do	By amount paid to territorial treas. by G W Forbes county treas.		994 89
March 18, 1862.	do do do		428 83
June 17. do	do do do		136 92
April 19, 1864.	To warrants for amount overpaid on account for 1860..............	560 14	
Dec 15, 1864.	To collection fees on amount overpaid. refunded April 19th......	22 41	
	Balance due for territory for 1860..............................		22 41

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861..	1,435 22	
June 17. 1862.	By amount paid to territorial treasurer by J K Ish county treas.		955 45
Dec 19. 1852.	do do do do		443 41
do	do do do do		177 37
June 30, 1863.	To penalty and interest collected do do	21 34	
Nov 23, do	By amount paid to territorial treasurer do do		12 67
do	To penalty and interest collected do do	3 50	
Dec 31, 1863.	To additions reported by P Hugus, May 5th, 1863. on account for 1861..............................	578 10	
Aug 23, 1864.	By amount paid to territorial treasurer by J K Ish county treas.		21 31
do	To penalty and interest collected do do	4 80	
Dec 10, 1864.	By amount paid to territorial treasurer do do		4 09
do	To penalty and interest collected do do	76	
Dec 15, 1864.	do do do do reported Dec 10th, 1864..............................	29 63	
	Balance due territory for 1861..............................		454 17

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862..	1,805 90	
June 30, 1863.	By amount paid to territorial treasurer by J K Ish co. treas.		1,106 96
Nov 13, do	do do do do		276 59
do 23, do	do do do do		38 66
do	To penalty and interest collected do do	23 87	
Aug 23, 1864.	By amount paid to territorial treasurer do do		21 25
do	To penalty and interest collected do do	2 83	
Dec 10, 1864.	By amount paid to territorial treasurer do do		5 67
do	Penalty and interest collected do do	66	
	Balance due territory for 1862..............................		384 13

FOR 1863.

June 1, 1863,	To amount of tax levy for 1863..	3,252 05	
Aug 23, 1864.	By amount paid to territorial treasurer by J K Ish county treas.		1,302 61
Dec 10, do	do do do do		319 17
do	To penalty and interest collected do do	10 09	
Dec 15, 1864.	To additions to tax list reported by B Reed county clerk...........	38 68	
	Balance due territory for 1863..............................		680 04

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864..	5,139 93	
	Balance due territory for 1864..............................		5,139 93

Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	1,435 22	
June 17, 1862.	By am't paid to territorial treasurer by J K Ish, county treas		350 00
Dec 26, 1862.	do do do do		582 61
June 30, 1863.	do do do do		118 25
do	To penalty and interest collected by do do	14 23	
Nov 23, 1863.	do do do	1 36	
do	By am't paid to territorial treasurer by do do		7 39
Aug 23, 1864.	do do do do		14 24
do	To penalty and interest collected by. do do	3 17	
Dec 10, 1864.	By penalty and interest pd to terr treas by do do		2 68
do	To penalty and interest collected by do do	57	
Dec 15, 1864	do do do do reported Dec 10, 1864	20 68	
	Balance due Territory for 1861		400 06

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	1,203 93	
June 30, 1863.	By am't paid to territorial treasurer by J K Ish co treas		715 08
Nov 23, 1863.	To penalty and interest collected by do do	16 43	
do	By am't paid to territorial treasurer by do do		214 27
Aug 23, 1864.	do do do do		13 88
do	To penalty and interest collected by do do	1 87	
Dec 10. 1864.	By am't paid to territorial treasurer by do do		3 78
do	To penalty and interest collected by do do	23	
	Balance due Territory for 1862		275 45

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	1,501 36	
Aug 28, 1864.	By am't paid to territorial treasurer by J K Ish, county treas		868 49
Dec 10, 1864.	do do do do		204 11
do	To penalty and interest collected by do do	6 65	
	Balance due Territory for 1863		435 41

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	2,055 98	
	Balance due Territory for 1864		2,055 98

GAGE COUNTY.

In Account with General Fund.

FOR 1860.

June 1, 1860.	To amount of tax levy for 1860	141 34	
Jan. 11, 1861.	By two-thirds tax levy for 1860, refunded		94 23
March 5, do	By amount paid to territorial treasurer by county treasurer		50 00
Dec. 10, 1864.	do do do do do do do Albert Towle, county treasurer		24
	Balance due county	3 13	

FOR 1861.

June 11, 1861.	To amounty of tax levy for 1861	63 18	
Dec. 31, 1863.	To additions to tax list reported by county clerk and county treasurer, Dec. 3, 1863 for 1861	2 86	
Dec. 10, 1864.	By amount paid to territorial traasurer by Albert Towle, county treasurer		2 63
do 15 do	To penalty and interest collected by A. Towle, county treasurer, reported Dec. 10th, 1864	92	
	Balance due Territory for 1861		64 33

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	75 38	
Dec. 31, 1863.	To additions to tax list reported by county clerk and county treasurer, Dec. 3, 1863, for 1862	1 76	
do 10, 1864.	By amount paid to territorial treasury by Albert Towle, county treasurer		10 38

Dec. 15, 1864.	To penalty and interest collected by H. M. Reynolds, county treasurer, reported Dec, 10th, 1864	31	
do do do	To penalty and interest collected by A. Towle, county treasurer, reported Dec. 10th, 1864	1 89	
	Balance due Territory for 1862		68 96

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	100 36	
Dec. 10, 1864.	By amount paid to territorial treasurer by Albert Towle, county treasurer		66 38
do 15, 1864.	To penalty and interest collected by A. Towle, reported December 10th, 1864	1 85	
	Balance due Territory for 1863		35 83

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	174 32	
	Balance due Territory for 1864		174 32

In Account with Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	42 12	
Dec. 31, 1864.	To additions to tax list reported by county clerk and county treasurer, Dec. 3, 1863, for 1861	1 90	
	Balance due Territory for 1861		44 02

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	50 75	
Dec. 10, 1864.	By amount paid to territorial treasurer by Albert Towle, county treasurer		6 91
31, 1863.	To additions to tax list reported by county clerk and county treasurer, Dec 3, 1863, for 1862	97	
15, 1864.	To penalty and interest collected by H. M. Reynolds, county treasurer, reported Dec. 10th 1864	20	
do	To penalty and interest collected by A. Towle, county treasurer, reported Dec. 10th, 1864	1 26	
	Balance due Territory for 1862		45 77

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	66 91	
Dec. 10, 1864.	By amount paid to territorial treasurer by Albert Towle, county treasurer		44 30
15, do	To penalty and interest collected by A. Towle, county treasurer, reported Dec. 10th, 1864	1 23	
	Balance due Territory for 1863		23 84

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	69 73	
	Balance due Territory for 1864		69 73

JOHNSON COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859.	To amount of tax levy for 1859	203 85	
Oct. 15, do	By amount paid to territorial treasurer by J. R. Little, county treasurer, credited to 1859		98 75
28, do	By amount paid to territorial treasurer by J. R. Little, county treasurer, credited to 1859		44 83
Dec. 19, 1860.	By amount paid to territorial treasurer by M. K. Cody, county treasurer, for 1859		156 03
28, 1863.	By amount paid to territorial treasurer by J. S. Daily, county treasurer, for 1859		16 33
do	To penalty and interest collected by J. S. Daily, county treasurer, for 1859	2 00	
	Balance due county	110 09	

FOR 1860.

June 1, 1860.	To amount of tax levy for 1860	184 00	
Jan. 3, 1861.	By amount paid to territorial treasurer by M. K. Cody, county treasurer		81 83
11, do	By two-thirds of tax levy for 1860, refunded		126 66
Sept. 23, do	By amount paid to territorial treasurer by M. K Cody, county treasurer		45 01
Dec. 31, 1863.	To additions to tax list reported by J. S Daily, county treasurer, May 9th, 1863, for 1860	87	
	Balance due county	64 63	

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	105 00	
Dec. 28, 1863.	By amount paid to territorial treasurer by J. S. Daily, county treasurer		88 84
do do	To penalty and interest collected by J. S. Daily, Co Treas	2 23	
	Balance due Territory for 1861		18 39

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	128 32	
Dec. 28 1863.	By amount paid to territorial treas. by J. S. Daily, co. treas.		177 08
do do	To penalty and interest collected do do do	1 54	
31 do	To additions to tax list reported by J. S. Daily, co. treas., May 19th, 1862	108 70	
	Balance due Territory for 1862		56 48

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	128 32	
	Balance due Territory for 1863		128 32

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	236 13	
	Balance due Territory for 1864		236 13

In Account with Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	70 00	
	Balance due Territory for 1861		70 00

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	85 55	
	Balance due Territory for 1862		85 55

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	85 55	
	Balance due Territory for 1863		85 55

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	94 45	
	Balance due Territory for 1864		94 45

JONES COUNTY.

In Account with General Fund.

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	55 38	
	Balance due Territory for 1864		55 38

In Account with Sinking Fund.

May 24, 1864.	To amount of tax levy for 1864	22 16	
	Balance due Territory for 1864		22 16

KEARNEY COUNTY.

In Account with General Fund.

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	38 00	
	Balance due Territory for 1863		38 00

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	63 34	
	Balance due Territory for 1864		63 34

In Account with Sinking Fund.

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	25 34	
	Balance due Territory for 1863		25 34

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	25 34	
	Balance due Territory for 1864		25 34

LANCASTER COUNTY.

In Account with General Fund.

FOR 1864.

Aug. 24, 1864.	To amount of tax levy for 1864	79 25	
	Balance due Territory for 1864		79 25

In Account with Sinking Fund.

FOR 1864.

June 24, 1864.	To amount of tax levy for 1864	31 70	
	Balance due Territory for 1864		31 70

NEMAHA COUNTY.

In Account with Generat Fund.

FOR 1859.

June 1, 1859.	To amount of tax levy for 1859	1,481 53	
16, 1856.	By amount paid to ter'l treas. by W. Hoblitgell, co. treas., credited to 1859		30 00
Jan. 13, 1859.	By amount paid to ter'l treas'r by W. Hoblitgell, co. treas'r, credited to 1859		788 21
Dec. 28, do	By amount paid to ter'l treas'r by Jacob Strickler, co. treas'r, credited to 1859		437 95
Jan. 4, 1861.	By amount paid to ter'l treas'r by Jacob Strickler, co. treas'r, for 1859		225 21
June 23, 1863.	By amount paid to ter'l treas'r by Jonas Hacker, co. treas'r, for 1859		2 31
do do	To penalty and interest collected by Jonas Hacker, co. treas'r, for 1859	68	
Oct. 8, 1863.	By amount paid to ter'l treas'r by Jonas Hacker, co. treas'r		93
Nov. 7, 1864.	do do do do do do do		5 13
do	To penalty and interest collected do do do	1 46	
Dec. 15, do	do do do reported by co. treas'r, Sept. 30, 1863	22	
	Balance due county	5 85	

July 11, 1864	By amount paid to territorial treas'r by Jonas Hacker, co. treas'r		56 36
do	To penalty and interest collected by do do	7 87	
Nov'r 7, 1864	By amount paid to territorial treas'r by do do		43 20
do	To penalty and interest collected by do do	6 91	
Dec'r 15, 1864	do do do do reported November 7th, 1864	14 18	
do	To additions to tax list reported by Wm H Hoover, county clerk	6 92	
	Balance due territory for 1862		124 99

FOR 1863.

June 1, 1863	To amount of tax levy for 1863	903 82	
July 11, 1864	By amount paid to territorial treas'r by Jonas Hacker, co, treas'r		585 69
do	To penalty and interest collected by do do	44	
Nov'r 7, 1864	By amount paid to territorial treas'r by do do		261 66
do	To penalty and interest collected by do do	21 76	
Dec'r 15, 1864	To additions to tax list reported by Wm H Hoover, county clerk...	197 93	
	Balance due territory for 1863		273 69

FOR 1864.

May 21, 1864	To amount of tax levy for 1864	1,012 13	
Dec'r 15, 1864	To additions to tax list reported by Wm H Hoover, county clerk...	35 59	
	Balance due territory for 1864		1,047 72

OTOE COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859.	To amount of tax levy for 1859	$3,563 78	
Feb'y 13, 1857.	By amount paid to territorial treasurer by J. W. Pearman, county treasurer, credited to 1859		$250 00
July 18, 1857.	By amount paid to territorial treasurer by J. W. Pearman, county treasurer, credited to 1859		108 33
Dec'r 16, 1858.	By amount paid to territorial treasurer by J. W. Pearman, county treasurer, credited to 1859		378 46
Dec'r 15, 1859.	By amount paid to territorial treasurer by J. W. Pearman, county treasurer, for 1859		243 75
June 8, 1860.	By amount paid to territorial treasurer by J. W. Pearman, county treasurer, for 1859		451 50
	Balance due territory for 1859		2,131 74

FOR 1860.

June 1, 1860.	To amount of tax levy for 1860	4,474 06	
Jan. 11, 1861.	By two-thirds of tax levy for 1860 refunded		2,982 71
do	By amount paid to territorial treas. by J. W. Pearman, co. treas....		973 75
June 15, 1861.	do do do do		748 53
Nov. 21, 1861.	To warrants for amount overpaid on account of 1860	230 93	
June 30, 1863.	By amount paid to territorial treas by J. W. Pearman, co. treas...		52 96
do	To penalty and interest collected by S. E. Smith, co. treas	7 89	
Nov. 7, 1863.	By amount paid to territorial treas. by S. E. Smith, act'g co. treas..		23 21
do	To penalty and interest collected by do do	4 16	
July 28, 1864.	By amount paid to territorial treas. by do do		20 51
do	To penalty and interest collected by do do	2 41	
Nov. 25 1864.	By amount paid to territorial treas. by D. P. Rolfe, co. treas		1 21
do	To penalty and interest collected by do do	25	
	Balance due county	83 18	

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	1,877 68	
June 1, 1862.	By amount paid to territorial treas. by J. W. Pearman, co. treas....		707 53
Oct. 24, 1862.	do do do do		427 40
June 30, 1863.	do do do do		87 02
do	To penalty and interest collected by S. E. Smith, do	10 70	
Nov. 7, 1863.	By amount paid to territorial treas. by S. E. Smith, act'g co. treas.		16 08
do	To penalty and interest collected by do do	3 04	

July 28, 1864.	By amount paid to territorial treas. by do do		37 19
do	To penalty and interest collected by do do	6 96	
Nov. 25. 1864.	By amount paid to territorial treas. by D. P. Rolfe, do		3 47
do	To penalty and interest collected by do do	92	
	Balance due territory for 1861......		620 61

For 1862.

May 31. 1862.	To amount of tax levy for 1862......	1,432 77	
June 30, 1863	By amount paid to territorial treas. by S. E. Smith, co. treas......		1,008 49
Nov. 7, 1863.	do do act'g co. treas.		169 30
do	To penalty and interest collected by do do	19 02	
July 28. 1864.	By amount paid to territorial treas. by do do		56 67
do	To penalty and interest collected by do do	8 12	
Nov 25, 1864.	By amount paid to territorial treas. by D. P Rolfe, co. treas......		25 00
do	To penalty and interest collected by do do	2 92	
Dec. 15, 1864.	To additions to tax list reported by E. W. Botsford, co. clerk......	346 96	
	Balance due territory for 1862......		550 33

For 1863.

June 1, 1863	To amount of tax levy for 1863......	1,876 10	
July 28, 1864.	By amount paid to territorial treas. by A. W. Smith, act'g co. treas		978 22
Nov 5, 1864.	do do do do		45 05
Nov. 25, 1864.	do do D. P. Rolfe, co. treas......		182 83
do	To penalty and interest collected by do do	12 24	
	Balance due territory for 1863......		682 24

For 1864.

May 24, 1864.	To amount of tax levy for 1864......	4,019 81	
	Balance due territory for 1864......		4,019 81

Sinking Fund.

For 1861.

June 11, 1861.	To amount of tax levy for 1861......	1,251 79	
June 4, 1862.	By amount paid to territorial treas. by J. W. Pearman, co treas....		453 00
Oct 24, 1862	do do do do		353 21
June 30 1863.	do do S. E. Smith, do		57 36
do	To penalty and interest collected by do do	7 32	
Nov. 7. 1863.	By amount paid to territorial treas. by W W Smith, act'g co. treas		13 50
do	To penalty and interest collected by A W Smith, do	4 80	
July 28. 1864.	By amount paid to territorial treas. by do do		25 73
do	To penalty and interest collected by do do	5 53	
Nov. 25 1864.	By amount paid to territorial treas. by D P Rolfe, co. treas......		2 32
do	To penalty and interest collected by do do	62	
Dec. 15, 1864.	To additions to tax list reported by E W Botsford, county clerk......	326 21	
	Balance due territory for 1861......		691 15

For 1862.

May 31, 1862.	To amount of tax levy for 1862......	955 18	
June 30, 1863.	By amount paid to territorial treas. by Silas E Smith, co. treas......		660 78
Nov. 7, 1863.	do do W W Smith, act'g co. treas.		132 73
do	To penalty and interest collected by do do	12 68	
July 28 1864.	By amount paid to territorial treas. by A W Smith, do		58 12
do	To penalty and interest collected by do do	6 39	
Nov. 25, 1864.	By amount paid to territorial treas'r by D P Rolfe, co. treas'r......		16 69
do	To penalty and interest collected by do do	1 95	
Dec. 15, 1864.	To additions to tax list reported by E W Botsford, county clerk......	210 81	
	Balance due territory for 1862......		318 69

For 1863.

June 1, 1863.	To amount of tax levy for 1863......	1,250 80	
July 28. 1864.	By amount paid to territorial treas'r by A W Smith, act'g co. treas'r		618 02
Nov. 5, 1864.	do do do do		69 28
Nov. 25, 1864.	do do D P Rolfe, county treasurer		117 71
do	To penalty and interest collected by do do	8 16	
	Balance due territory for 1863......		453 95

For 1864.

May 24, 1864.	To amount of tax levy for 1864......	1,607 92	
	Balance due territory for 1864......		1,607 92

FOR 1860.

June 1, 1860.	To amount of tax levy for 1860	2,100 00	
Jan. 4, 1861.	By amount paid to ter'l treas'r by Jacob Strickler co. treas'r		651 83
11 do	By two-thirds tax levy for 1860, refunded		1,400 00
15, do	By amount paid to ter'l treas'r by Jacob Strickler, co. treas'r		331 28
Oct. 11, do	To warrants for amounts over-paid on account of 1860	283 11	
22, 1862.	By amount paid to ter'l treas'r by John H. Morrison, co. treas'r		134 52
	Balance due county	134 52	

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	1,050 00	
27, 1862.	By amount paid to ter'l treas'r by John H. Morrison, co. treas'r		448 47
Oct. 22, do	do do do do do		356 33
June 23, 1863.	do do do Jonas Hacker, do		142 99
Oct. 8, do	To penalty and interest collected do do	21 88	
do	By amount paid to ter'l treas'r do do		74 40
July 11, 1864.	By amount paid to ter'l treas'r do do		37 32
do	To penalty and interest collected do do	6 93	
Nov. 7, do	By amount paid to ter'l treas'r do do		24 09
do	To penalty and interest collected do do	7 95	
Dec. 15, do	do do by J. H. Morrison, co. treas'r, reported Oct. 15, 1862	6 77	
	Balance due Territory for 1861		3 61

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	1,190 02	
June 23, 1863.	By amount paid to ter'l treas'r by Jonas Hacker, co. treas'r		635 39
Oct. 8, do	do do do do do do		280 28
Dec. 31. do	To additions to tax list rep'd by co. cl'k and co treas'r for 1862,	10 65	
July 11, 1864.	By amount paid to ter'l treas'r by Jonas Hacker, co. treas'r,		84 86
do	To penalty and interest collected do do do	12 00	
Nov. 7, do	By amount paid to ter'l treas'r do do do		61 52
do	To penalty and interest collected do do do	8 19	
Dec 15, do	do do do do do do reported Nov. 7th, 1864	27 42	
	Balance due Territory for 1862		176 23

FOR 1863.

June 1, 1863.	To amount of tax levy for 1863	1,355 73	
July 11, 1864.	By amount paid to ter'l treas'r by Jonas Hacker, co. treas'r		870 50
do	To penalty and interest collected do do do	65	
Nov 7, do	By amount paid to ter'l treas'r do do do		393 26
do	To penalty and interest collected do do do	33 16	
Dec 15 do	To additions to tax list reported by Wm H. Hoover, co. clerk	282 02	
	Balance due Territory for 1863		407 80

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	2,530 32	
Dec 15, do	To additions to tax list reported by Wm H. Hoover, co. clerk	80 42	
	Balance due Territory for 1864		2,610 74

In Account with Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	700 00	
June 27, 1862.	By am't paid to ter'l treas'r by John H. Morrison, co. treas'r		390 65
Oct 22, do	do do do do do		138 47
June 23, 1863.	do do do Jonas Hacker do		107 92
do	To penalty and int'st collected do do do	15 00	
Oct 8, do	By amount paid to ter'l treas'r do do do		54 27
July 11, 1864	do do do do do		14 43
do	To penalty and interest col't'd do do do	3 37	
Nov 7, do	By amount paid to ter'l treas'r do do do		26 72
do	To penalty and in'st col't'd do do do	6 71	
Dec 15 do	do do do J. H. Morrison, co. treas'r, reported Oct. 15, 1862	4 45	
	Balance due Territory for 1861		3 13

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	793 35	
June 23, 1863.	By amount paid to territorial treas'r by Jonas Hacker, co. treas'r		425 50
Oct'r 8, 1863	do do do do		186 10
Dec'r 31, 1863	To additions to tax list reported by county cl'k and treas'r for 1862	6 92	

PAWNEE COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859	To amount of tax levy for 1859	227 90	
Jan'y 7, 1860	By amount paid to territorial treasurer by F F Lemming, county treasurer, credited to 1859		137 47
Dec'r 15, 1864	To additions to tax list reported by county clerk	155 96	
	Balance due territory for 1859		246 39

FOR 1860.

June 1, 1860	To amount of tax levy for 1860	319 94	
Jan'y 11, 1861	By two-thirds of tax levy for 1860 refunded		213 30
Jan'y 12, 1861	By amount paid to territorial treas'r by F F Lemming, co. treas'r		106 64
Dec'r 31 1863	To additions to tax list reported by county clerk and county treasurer May 14th, 1863, for 1860	21 31	
Dec'r 15, 1864	By two thirds of additions to tax list refunded		14 20
	Balance due territory for 1860		7 11

FOR 1861.

June 11, 1861	To amount of tax levy for 1861	150 00	
Oct'r 4, 1862	By amount paid to territorial treas'r by F F Lemming, co. treas'r		125 86
Oct'r 6, 1863	do do do do		33 30
Dec'r 31, 1863	To additions to tax list reported by county clerk and co treasurer, May 14 1863, for 1861	44 39	
Nov'r 7, 1864	By amount paid to territorial treasurer by J L Edwards, county treasurer		3 43
Nov'r 7, 1864	To penalty and interest collected by J L Edwards, co treasurer,	1 02	
Dec'r 15, 1864	do do F F Lemming, county treasurer, reported May 14, 1863	3 37	
	Balance due territory for 1861		36 19

FOR 1862.

May 31, 1862	To amount of tax levy for 1862	177 75	
Oct'r 6, 1863	By amount paid to territorial treas'r by F F Lemming, co. treas'r		147 28
Nov'r 7, 1864	do do J L Edwards, do		6 54
do	To penalty and interest collected by do do	1 60	
	Balance due territory for 1862		25 53

FOR 1863.

June 1, 1863	To amount of tax levy for 1863	182 88	
Nov'r 7, 1864	By amount paid to territorial treas'r by J L Edwards, co. treas'r		152 18
	Balance due territory for 1863		30 70

FOR 1864.

May 24, 1864	To amount of tax levy for 1864	457 01	
	Balance due territory for 1864		457 01

Sinking Fund.

FOR 1861.

June 11, 1861	To amount of tax levy for 1861	100 00	
Oct'r 4, 1862	By amount paid to territorial treas'r by F F Lemming, co. treas'r		89 45
Oct'r 6, 1863	do do do do		9 03
Dec'r 31, 1863	To additions to tax list reported by county clerk and county treasurer May 14, 1863, for 1861	29 73	
Nov'r 7, 1864	By amount paid to territorial treas'r by J L Edwards, co. treas'r		2 34
do	To penalty and interest collected by do do	69	
Dec'r 15, 1864	do do F F Lemming, county treasurer, reported May 14, 1863	2 25	
	Balance due territory for 1861		31 85

FOR 1862.

May 31, 1862	To amount of tax levy for 1862	118 50	
Oct'r 6, 1863	By amount paid to territorial treas'r by F F Lemming, co. treas'r		99 97
Nov'r 7, 1864	do do J L Edwards, do		4 35
do	To penalty and interest collected by do do	1 06	
	Balance due territory for 1862		15 24

FOR 1863.

June 1, 1863	To amount of tax levy for 1863	121 92	
Nov'r 7, 1864	By amount paid terretorial treas'r by J L Edwards, county treas'r		99 30
	Balance due territory for 1863		22 62

FOR 1864.

May 24, 1864	To amount of tax levy for 1864	182 80	
	Balance due territory for 1864		182 80

PLATTE COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859	To amount of tax levy for 1859	71 84	
	Balance due territory for 1859		71 84

FOR 1860.

June 1, 1860	To amount of tax levy for 1860	165 73	
Jan'y 11, 1861	By two-thirds amount of tax levy for 1860 refunded		110 49
April 9, 1861	By amount paid to territorial treas'r by V Kummer, co. treasurer		46 32
Oct'r 14, 1861	do do do do		9 61
Dec'r 31, 1863	To additions to tax list reported by county clerk and county treasurer December 2, 1863 for 1860	70	
Dec'r 15, 1864	By two-thirds of additions refunded		47
	Balance due county for 1860	47	

FOR 1861.

June 11, 1861	To amount of tax levy for 1861	240 28	
May 20, 1862	By amount paid to territorial treasurer by V Kummer co, treas'r		62 28
June 5, 1862	do do do do		32 57
July 2, 1862	do do do do		95 22
July 17 1862	do do do do		59 00
Dec'r 31, 1863	To additions to tax list reported by county clerk and county treasurer December 2, 1863. for 1861	67 31	
Dec'r 15, 1864	To Penalty and Interest collected by V Kummer, county treasurer, reported October 15, 1863	9 69	
	Balance due territory for 1861		68 21

FOR 1862.

May 31, 1862	To amount of tax levy for 1862	277 75	
Aug. 29, 1863	By amount paid to territorial treasurer by V Kummer, co. treas'r		202 50
Nov'r 18, 1863	do do po do		56 04
Dec'r 31, 1863	To additions to tax list reported by county clerk and county treasurer December 2, 1863, for 1862	14 11	
Dec'r 15, 1864	To penalty and interest collected by V Kummer, county treasurer, reported October 15, 1863	1 74	
do	To penalty and interest collected by V Kummer, county treasurer, reported December 13, 1864	3 48	
	Balance due territory for 1862		38 64

FOR 1863.

June 1, 1863	To amount of tax levy foy 1863	272 63	
Dec'r 10, 1864	By amount paid to territorial treas'r by V Kummer, co. treasurer		241 01
do	To penalty and interest reported by V Kummer, county treasurer	33	
do	To penalty and interest collected by V. Kummer, county treasurer, reported December 13, 1864	15	
	Balance due territory for 1863		32 10

FOR 1864.

May 24, 1864	To amount of tax levy for 1864	586 01	
	Balance due territory for 1864		586 01

Sinking Fund.

FOR 1861.

June 11, 1861.	To amount of tax levy for 1861	160 19	
June 30, 1862.	By am't paid to territorial treasurer by V Kummer, co treasurer		100 00
Oct 20, 1862.	do do do do		30 71
Dec. 31, 1863.	To additions to tax list reported by co cl'k and treas, Dec 2, '63 for 1861	44 87	
Dec 15, 1864.	To penalty and interest collected by V Kummer, county treasurer reported Oct 15, 1863	6 41	
	Balance due territory for 1861		80 76

FOR 1862.

May 31, 1862.	To amount of tax levy for 1862	185 17	
July 6, 1863.	By amount paid to territorial treasurer by V Kummer, co treas		141 68
Nov 18, 1863.	do do do do		38 99
Dec 31, 1863.	To additions to tax list reported by county clerk and county treas Dec, 1863 for 1862	9 40	
Dec 15, 1864.	To penalty and interest collected by V Kummer, county treasurer reported Oct 15, 1863	1 15	
Dec 15, 1864.	To penalty and interest collected by V Kummer, county treasurer reported Dec 13, 1864	2 33	
	Balance due territory for 1862		17 38

FOR 1863.

June 1 1963.	To amount of tax levy for 1863	181 75	
Dec 10, 1864.	By am't paid to territorial treas by V Kummer, county treasurer		160 67
do	To penalty and interest collected by do do	48	
	Balance due territory for 1863		21 56

FOR 1864.

May 24, 1864.	To amount of tax levy for 1864	227 20	
Dec 15, 1864.	To additions to tax list reported by county clerk	34	
	Balance due territory for 1864		227 54

RICHARDSON COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859.	To amount of tax levy for 1859	613 19	
Aug 12 1859.	By am't paid to terr treas by Isaac Crook, co treas, credit to 1859		200 00
June 8, 1861.	do do do do do		413 19
May 22, 1863.	By am't paid to terr treas by F A Tisdel, Sen, co treas 1859		10 14
Dec 15, 1864.	To additions to tax list collected by F A Tisdel, Sen reported Oct 24, 1864	10 14	

FOR 1860.

June 1, 1860.	To amount of tax levy for 1860	1,500 00	
Jan 8, 1861.	By amount paid to terr treas by Isaac Crook, county treasurer		186 85
Jan 11, 1861.	By two-thirds of tax levy for 1860 refunded		1,000 00
May 1, 1861.	By amount paid to terr treas by Isaac Crook, county treasurer		204 73
Nov 7 1863.	do do F A Tisdel, Sen, do		34 96
Oct 24, 1864.	do do do do		31 49
do	To penalty and interest collected do do	6 30	
	Balance due territory for 1860		48 27

FOR 1861.

June 11, 1861	To amount of tax levy for 1861	675 70	
May 20 1862	By am't paid to territorial treasurer by F A Tisdel, Sen, co treas		34 19
June 19 1862	do do do do		178 21
Dec 6, 1862	do do do do		157 01
May 22, 1863	do do do do		21 95
Nov 7, 1863	do do do do		45 24
Oct 24, 1864	do do do do		22 21
do	To penalty and interest collected by do do	4 00	
Dec 15, 1864	To additions to tax list reported by James Cameron, county clerk	33 53	
	Balance due territory for 1861		254 42

FOR 1862.

May 31, 1862	To amount of tax levy for 1862 - - - - - -	675 70	
Apr 18, 1863	By am't paid to territorial treas by F A Tisdel, Sen, co treas -		94 34
Apr 21 1863	do do do do		11 22
May 22, 1863	do do do do		1 5 44
Sep 28, 1863	do do do do		150 00
Nov 7, 1863	do do do do		191 31
Oct 24, 1864	do do do do		77 34
do	To penalty and interest coll'd by do do	17 08	
Dec 15, 1864	To additions to tax levy reported by James Cameron, co cl'k -	327 59	
	Balance due terrritory for 1862 - - - -		360 63

FOR 1863.

June 1, 1863	To amount of tax levy for 1863 - - - - - -	874 53	
Dec 10 1863	By am't paid to territorial treas by F A Tisdel, Sen, co treas -		86 00
July 4, 1864	do do do do		200 00
Oct 24, 1864	do do do do		498 55
do	To penalty and interest coll'd by do do	18 83	
Dec 15, 1864	To additions to tax list reported by James Cameron, co cl'k -	217 83	
	Balance due territory for 1864 - - - -		326 64

FOR 1864.

May 24. 1864	To amount of tax levy for 1864 - - - - -	1,644 15	
Dec 15, 1864	To additions to tax list reported by James Cameron, co cl'k -	814 67	
	Balance due territory for 1864 - - - -		2,458 82

Sinking Fund.

FOR 1861.

June 11, 1861	To amount of tax levy for 1861 - - - -	450 47	
June 19, 1862	By am't paid to terr treas by F A Tisdel, Sen, county treas		185 00
Dec 6 1862	do do do do		88 50
May 22 1863	do do do do		14 56
Sept 28, 1863	do do do do		29 02
Oct 24 1864	do do do do		11 01
do	To penalty and interest coll'd by do do	2 50	
Dec 15, 1864	To additions to tax list reported by James Cameron county clerk	22 35	
	Balance due territory for 1861 - - - - -		147 2

FOR 1862.

May 31, 1862	To amount of tax levy for 1862 - - - - - -	450 47	
May 22, 1863	By amount paid to territorial treasurer by F A Tisdel co treas -		137 20
Sept 28. 1863	do do do do		320 98
Oct 24, 1864	do do do do		75
do	To penalty and interest collected by do do	3 56	
Dec 15, 1864	To additions to tax list reported by James Cameron, county clerk	218 09	
	Balance due territory for 1862 - - - - - -		213 19

FOR 1863.

June 1, 1863	To amount of tax levy for 1863 - - - - - - - -	583 01	
Dec 10 1863	By amount paid to terr treas by F A Tisdel, Sen, county treasurer		32 29
July 4, 1864	do do do do		100 00
Oct 24, 1864	do do do do		391 94
do	To penalty and interest collected by do do	9 00	
Dec 15, 1864	To additions to tax list reported by James Cameron, county clerk	145 23	
	Balance due territory for 1863 - - - - - - -		213 01

FOR 1864.

May 24 1864	To amount of tax levy for 1864 - - - - - - -	657 86	
Dec 15, 1864	To additions to tax list reported by James Cameron, county clerk	325 67	
	Balance due territory for 1864 - - - - -		983 53

SARPY COUNTY.

In Account with General Fund.

FOR 1859.

June 1, 1859	To amount of tax levy for 1859	1,604 41	
Jan 2, 1860	By am't paid to terr'l treas'r by A M Pollock, county treas'r,		597 74
7, 1861	do do do		705 98
June 17 do	do do do		47 02
11, 1864	do do David Leach, do		22 52
Dec 10, do	do do do do		1 70
	Balance due Territory for 1859		229 45

FOR 1860.

June 1, 1860	To amount of tax levy for 1860	1,500 00	
Jan 7, 1861	By am't paid to ter'l treas'r by A M Pollock, county treasurer,		102 62
11, do	By two-thirds tax levy for 1860 refunded		1,000 00
June 17, do	By am't paid to ter'l treas'r by A M Pollock, county treasurer,		585 02
Oct 7, do	do do do		206 01
Dec 31, 1863	To additions to tax list reported by David Leach, county treas'r, Dec 30th, 1863, for 1860	32 61	
10, 1864	To collection fees on 298-.9 over-paid taxes of 1860	12 44	
do	To warrants for over-payment on account of 1860, refunded	298 69	
Dec 15, 1864	By two-thirds of additions refunded		21 74
	Balance due county	21 65	

FOR 1861.

June 11, 1861	To amount of tax levy for 1861	610 84	
Oct 1, 1862	By am't paid to ter'l treas'r by David Leach, county treasurer,		536 31
Dec 10, 1864	do do do do	6 57	
15, do	To penalty and in'st coll'd by David Leach, co. trers'r, reported October 5th, 1862		6 97
	Balance due Territory for 1861		74 93

FOR 1862.

May 31, 1862	To amount of tax levy for 1862	554 64	
Oct 1, do	By am't paid to ter'l treas'r by David Leach, county treasurer,		32 79
June 15, 1863	do do do		151 60
11, 1864	do do do		12 60
Dec 10, do	do do do		281 31
do	To penalty and in'st coll'd do do	4 50	
	Balance due Territory for 1862		80 84

FOR 1863.

June 1, 1863	To amount of tax levy for 1863	522 75	
11, 1864	By am't paid to ter'l treas'r by David Leach, county treasurer,		52 22
Dec 10, do	do do do		427 28
do	To penalty and int'st coll'd do do	3 85	
Dec 15, do	To additions to tax list reported by W R Watson, county clerk,	27 51	
	Balance due Territory for 1863		73 61

FOR 1864.

May 24, 1864	By amount of tax levy for 1864	1,123 21	
Dec 15, do	To additions to tax list reported by W R Watson, county clerk,	12 57	
	Balance due Territory for 1864		1,135 78

In Account with Sinking Fund.

FOR 1861.

June 11, 1861	To amount of tax levy for 1861	407 23	
14, 1862	By am't paid to ter'l treas'r by David Leach, county treasurer,		92 73
Oct 1, do	do do do do		121 78
June 11 1864	do do do do		136 46
Dec 10 do	do do do do		3 65
Dec 15, do	To penalty and interest collected by David Leach, county treasurer, reported October 5th, 1863	4 47	
	Balance due Territory for 1861		57 08

FOR 1862.

May 31, 1862	To amount of tax levy for 1862 - - -	369 76	
June 15, 1863	By am't paid to ter'l treas'r by David Leach, dounty treasurer,		200 20
Oct 2, do	do do do do		106 80
Dec 10 1864	do do do do		11 35
Dec 15, 1864	To penalty and interest collected by David Leach, county treasurer, reported October 5th, 1863 - -	3 00	
	Balance due Territory for 1862 - -		54 41

FOR 1863.

June 1, 1863	To amount of tax levy for 1863 - -	348 56	
Oct 2, do	By am't paid to ter'l treas'r by David Leach, county treasurer		18 20
June 11, 1864	do do do do		50 15
Dec 10, do	do do do do		258 85
do do	To penalty and inst. coll'd do do	2 50	
Dec 15, do	To additions to tax list reported by W R Watson, county clerk	4 96	
	Balance due Territory for 1863 - -	28 82	

FOR 1864.

May 24, 1864	To amount of tax levy for 1864 - - -	449 29	
Dec 15, do	To additions to tax list reported by W R Watson, county clerk,	24 12	
	Balance due Territory for 1864 - -		473 41

WASHINGTON COUNTY.

In Accout with General Fund.

FOR 1859.

June 1, 1859	To amount of tax levy for 1859 - - -	1,143 58	
Dec 28 do	By am't paid to ter'l treas'r by E. N. Grinnell, county treas'r,		348 02
Jan 3, 1861	do do do		495 92
July 8, 1864	do by A Reed do		2 88
do	To penalty and int'st coll'd do do	86	
Oct 17, do	By amount paid to ter'l treas'r do do		7 42
do	To penalty and int'st coll'd do do	2 54	
	Balance due Territory for 1859 - - -		242 14

FOR 1860.

June 1, 1860	To amount of tax levy for 1860 - - - -	1,294 13	
Jan 3, 1861	By am't paid to ter'l treas'r by E. N. Grinnell, county treas'r,		553 40
do	To error in amount of warrants returned - -	8 00	
Jan 11, do	By two-thirds of tax levy for 1860 refunded - -		862 75
Mar 6, 1862	To error in interest allowed on warrants returned Jan. 3, 1861, for 1860 - - - -	3 80	
July 8, 1864	By amount paid to ter'l treas'r by A. Reed, county treasurer,		2 57
do	To penalty and int'st coll'd do do do	65	
Oct 17 do	By am't paid to ter'l treas'r do do do		6 58
do	To penalty and int'st coll'd do do do	2 19	
	Balance due county - - -	116 53	

FOR 1861.

June 11, 1861	To amount of tax levy for 1861...	880 24	
June 19, 1862	By amount paid to territorial treas. by E. N Grinnell co. treas,		585 95
Jan 16, 1863	do do do do		123 86
July 8, 1864	do do A. Reed do		8 75
do	To penalty and interest collected do do	1 78	
Oct 17, 1864	By amount paid to territorial treas. do do		4 09
do	To penalty and interest collected do do	1 70	
Dec 15, 1864	To penalty and interest collected by E N. Grinnell, county treas. reported by county clerk. Dec 2d. 1863..............................	35 51	
	Balance due territory for 1861....................................		196 58

For 1862.

May 31, 1862	To amount of tax levy for 1862	583 10	
June 30, 1863	By amount paid to territorial treas. by E N. Grinnell co. treas.		394 80
Oct 29, 1863	do do do		45 00
Nov 27, 1863	do do do		127 18
Dec 31, 1863	To additions to tax list teported by county clerk and county treas. Dec 2, 1863, for 1862	18 59	
July 8, 1864	By amount paid to territorial treasurer by A Reed county treas.		18 58
do	To penalty and interest collected do do	2 40	
Oct 17, 1864	By amount paid to territorial treasurer do do		7 52
do	To penalty and interest collected do do	2 03	
Dec 15, 1864	To penalty and interest collected by E N Grinnell,, reported Dec 10th, 1863 - - - -	32 88	
do	To addition to tax list reported by A Castelter co clerk - -	18 50	
	Balance due territory for 1862 - - -		64 42

For 1863.

June 1, 1863	To amount of tax levy for 1863 - - - -	547 05	
June 18, 1864	By amount paid to territorial treasurer by A Reed, county treas'r		199 96
June 20, 18 4	do do do do		78 00
July 8, 1864	do do do do		145 97
do	To penalty and interest collected by do do	4 19	
Oct'r 17, 1864	By amount paid to territorial treasurer by do do		78 40
do	To penalty and interest collected by do do	3 84	
Dec'r 15, 1864	To additions to tax list reported by A Castetter, county clerk	29 01	
do	To penalty and interest collectdd by A Reed, county treasurer, reported October 17, 1864 - - - -	2 73	
	Balance due territory for 1863 - - -		84 49

For 1864.

May 24, 1864	To amount of tax levy for 1864 - - - -	1,186 85	
Dec'r 15, 1864	To additions to tax list reported by A Castetter, county clerk	13 74	
	Balance due territory for 1864 - - -		1,200 59

Sinking Fund.

For 1861.

June 11, 1861	To amount of tax levy for 1861 - - - -	586 83	
Jan 19 1862	By amount paid to territorial treas'r by E N Grinnell, co. treas'r		131 15
Nov'r 15, 1862	do do do do		213 00
July 8, 1864	do do A Reed do		5 78
do	To penalty and interest collected by do do	1 18	
Oct'r 17, 1864	By amount paid to territorial treas'r by do do		2 58
do	To penalty and interest collected by do do	1 07	
Dec'r 15, 1864	do do E N Grinnell, do reported by county clerk December 2, 1863 - -	7 00	
	Balance due territory for 1861 - - -		243 57

For 1862.

May 31, 1862	To amount of tax levy for 1862 - - - -	384 73	
June 30 1863	By amount paid to territorial treas'r by E. N. Grinnell co. treas'r		250 00
Oct'r 29, 1868,	do do do do		55 00
Dec'r 10, 1863	do do do do		47 05
Dec'r 31 1863	To additions to tax list reported by county clerk and county treasurer December 2, 1863, for 1862 - - -	13 13	
July 8, 1864	By amount paid to territorial treasurer by A Reed, county treas'r		11 23
do	To penalty and interest collected by do do	1 61	
Oct'r 17, 1864	By amount paid to territorial treassurer by do do		5 04
do	To penalty and interest collected by do do	1 21	
Dec'r 15, 1864	do do E N Grinnell, county treasurer, reported December 10, 1863 - - -	17 06	
	Balance due territory for 1862 - - -		53.41

For 1863.

June 1, 1863	To amount of tax levy for 1863 - - - -	365 70	
June 20 1 64	By amount paid to territorial treasurer by A Reed, county treas'r		192 00
July 8, 1864	do do do do		89 22
do	To penalty and interest collected by do do	2 78	

Oct'r 17, 1864	By amount paid to territorial treasurer by do do		54 06
do	To penalty and interest collected by do do	5 25	
Dec'r 15. 1864	To additions to tax list reported by A Castetter, county clerk -	20 11	
do	To penalty and interest collected by A Reed, reported Oct. 17, 1864	93	
	Balance due territory for 1863 - - -		58 40

FOR 1864.

May 24, 1864	To amount of tax levy for 1864 - - . -	474 74	
Dec'r 15, 1864	To additions to tax list reported by A Castetter, county clerk -	9 24	
	Balance due territory for 1864 - - -		483 98

TREASURER'S REPORT.

OFFICE OF TERRITORIAL TREASURER,
OMAHA, N. T., December, 1864.

To the Honorable, the Council and House of Representatives of the Territory of Nebraska:

In accordance with the requirements of law, I have the honor to present my Annual Report, showing the transactions of the Territorial Treasury from the 1st of December, 1863, to December 15th, 1864.

In January I advertised for Proposals for the surrender of Territorial Bonds, in pursuance of the requirements of "An act to allow the Funding of the Indebtedness of the Territory, approved January 11th, 1861," and on the 15th of February opened the several bids, and awarded the funds in my hands to the lowest bidder, and redeemed two thousand five hundred ($2,500 00) dollars, at a discount of $347 81, leaving, of the amount advertised applicable to the redemption of Bonds (viz. $3,100 00) the sum of $947 81, which, with the amount accumulated since in the Treasury, will enable me at the proper time to advertise the sum of $5,000 00, applicable to the redemption of Bonds.

I would respectfully recommend to the Legislature that the law be so amended that in case the whole amount advertised be not taken up by the surrender of the Bonds, that the Treasurer be authorized, after a reasonable time, to advertise the balance remaining on hand, and invite proposals for the surrender of Warrants. In this way, I doubt not, our Territorial Indebtedness may be the more rapidly extinguished, as I do not consider it wise policy to allow funds to lay idle in the Treasury when we have so much Indebtedness outstanding drawing from 7 to 10 per cent. interest.

I recommended in my last report that the laws be so amended as to require the payment of all Territorial taxes in money; this recommendation I now renew, for the reason that it would be a great saving of labor to the officers having charge of the collection of the Revenue, and would prevent many frauds similar to those that have heretofore been attempted upon the Treasury, the means for the detection of which are only to be found in the Auditor's and Treasurer's offices, and cannot, without much labor, be furnished to the several County treasurer's, who are now authorized to receive Warrants for taxes.

I would also renew my recommendation relative to the Territorial School Fund,—requiring the Territorial School tax of 1864, and all Territorial School taxes hereafter levied, to be paid into the Territorial Treasury, and then apportion the amount so paid in. It is impossible, under the present laws, to make an equitable distribution of the School Funds;—and to reach the past years, let an act be passed appropriating the amounts levied up to and including the year 1863 to the Counties in which levied.

There ought to be some plan adopted that will more certainly secure the prompt payment of the Territorial Revenue. I would suggest that after lands, &c., have been offered for sale for delinquent taxes, if any of the Territorial tax remains unpaid, that the board of equalization, at its next session, levy upon the County in which such balances are due a special tax to cover the deficiency, giving to the County all amounts collected (on account of delinquent taxes and such special tax) over and above the balance due the Territory.

Cases have arisen heretofore in which the County commissioners have interfered with the levying of the Territorial taxes,—for instance, in Otoe County, in 1859, the commissioners ordered the clerk to enter upon the tax list a tax for Territorial purposes of only one-half of one mill, instead of three mills on the dollar ordered by the board of equalization. In other Counties, officers have failed to enter upon the tax list any amount for Territorial purposes,—all of which amounts should be now made up by special taxes upon the delinquent Counties.

The following statements show the amount of General, Sinking, and School Funds received and disbursed during the year:

General Fund—Receipts:

Cash on hand, December 1st, 1863		$65 20	
Received from	Burt county	286 66	
do.	Cass county	2,245 76	
do.	Cedar county	52 46	
do.	Cuming county	28 73	
do.	Dakota county	281 83	
do.	Dixon county	14 10	
do.	Dodge county	194 46	
do.	Douglas county	1,683 05	
do.	Gage county	79 63	
do.	Johnson county	282 25	
do.	Nemaha county	1,376 68	
do.	Otoe county	1,350 15	
do.	Pawnee county	162 15	
do.	Platte county	241 01	
do.	Richardson county	915 59	
do.	Sarpy county	805 25	
do.	Washington county	560 72	
Total General Fund Receipts			$10,625 68

General Fund—Disbursements:

For collecting General Fund Revenue		$170 13	
For redemption of Territorial	Warrants	8,495 38	
do.	Certificates	170 89	
For Interest on Warrants redeemed		905 91	
Total General Fund Disbursements			9,742 31
Balance, Cash on hand December 15th, 1864			$883 37

Sinking Fund—Receipts:

On hand December 1st. 1863		$4,342 51	
Received from	Burt county	186 76	
do.	Cass county	1,265 33	
do.	Cedar county	25 38	
do.	Cuming county	13 87	
do.	Dakota county	274 34	
do.	Dixon county	25 88	
do.	Dodge county	145 43	
do.	Douglas county	1,107 18	
do.	Gage county	51 21	
do.	Nemaha county	990 97	
do.	Otoe county	907 87	
do.	Pawnee county	105 99	
do.	Platte county	160 67	
do.	Richardson county	535 99	
do.	Sarpy county	460 46	
do.	Washington county	406 96	
do.	Discount on Territorial Bonds	380 56	
Total Sinking Fund Receipts			$11,387 36

Sinking Fund—Disbursements:

For collecting Sinking Fund Revenue	$38 44	
For redemption of Territorial Bonds	2,775 00	
For payment of Interest on Bonds	2,013 47	
For redemption of Warrants for collecting Sinking Fund, &c.	300 29	
Total Sinking Fund disbursements		5,127 20
Balance, on hand December 15th, 1864		$6.260 16

School Fund—Receipts:

On hand December 1st, 1863	$967 72	
Received from Cuming county	12 00	
Total School Fund Receipts		$979 72

School Fund—Disbursements:

Paid Warrant to A. S. Paddock, Secretary of Nebraska,—proceeds of Sale of Cast Iron refunded	$940 92	940 92
Balance, on hand December 15th, 1864		$38 80

All of which is respectfully submitted.

A. KOUNTZE,

Territorial Treasurer.

LIBRARIAN'S REPORT.

Office of the Territorial Librarian,
Omaha, N. T., Dec., 1864.

Honorable Alvin Saunders, *Governor of Nebraska*,

Dear Sir:—In pursuance of law, I herewith submit the following statement of the condition of the Territorial Library at this date.

The deficiencies existing in our own publications, as mentioned in the last report from this office, of House Journals of the first session, and Laws of the first and second sessions, I have been able to supply as to the first two, but not as to the last. The lack of the latter, however, is materially remedied by the re-enactments at the last session of the Legislative Assembly, of all the acts of the second session then unrepealed.

In compliance with the admirable system of exchange of publications, existing between the General Government, States and Territories, all of the Departments of the General Government, the Libraries of both Houses of Congress, together with all the States and Territories, (not inaccessible in consequence of the rebellion,) have been supplied with copies of our own publications. The supply received from the General Government has been liberal; and all of the loyal States, (except Delaware,) together with a number of the Territories, have reciprocated. The number and kind of books received from each of these various sources, can be ascertained by reference to the catalogue herewith furnished. But, whilst the Law and Documental branches of our Library receive valuable accessions each year by means of the exchange system, and their condition is such as to reflect credit upon the Territory, nothing is added to the not less valuable department, Miscellaneous works. In this department our Library is seriously deficient, especially in Historical works, and the defect is of such a character as is wholly inconsistent with our intelligence as a people and our dignity as a Government. In addition to this, prior to the time of my taking charge of the Library, a few volumes, belonging to sets of works, had been unfortunately lost, thereby seriously impairing, if not wholly destroying the value of the entire series. These deficiencies could probably be supplied from the publishers at the cost simply of the lost volumes.

To remedy these defects existing in the Miscellaneous branch of the Library, we would most respectfully suggest for the consideration of the Legislative Assembly, the importance of appropriating a sum sufficient for that purpose.

The whole number of volumes received from the General Government, since last report, is 256; from the different States and Territories, 174; total number received, 430 volumes.

There are now in the Library, of the Laws of the third session, 324 copies; of the fourth session, 594 copies; of the fifth session, 247 copies; of the sixth session, 1,098 copies; of the seventh session, 1,052 copies; of the eighth session, 472 copies; of the ninth session, 578 copies; aggregate number, 4,365. The number of Journals is about 5,000, and of Second Annual Report Com. Com. Schools, 104 copies—making the total number of our own publications about 9,469 volumes. Congressional and other documents 1,679 volumes, and about 450 public documents from the States and Territories—total number, 2,129 vols. U. S. Statutes at Large, 265 volumes; State Reports and U. S. Supreme Court Reports, 922 volumes; English Law Reports, 198 volumes; miscellaneous Law works, 123 volumes—total of Law Library, 1,838 volumes. Miscellaneous department contains 300 volumes, which added to the Law and Documental branches, makes the whole number of volumes in the Library 13,738.

The sum of thirty dollars appropriated by the last Legislative Assembly to be expended in supplying additional shelving to the Library Room, has been applied to that purpose. This will probably relieve the then existing difficulty for three years to come.

Expenditures.

For additional shelving to Library Room................	$30 00
Express charges on books from General Government and various States..................................	46 85

In addition to the above, I herewith submit the following catalogue.

Yours, most respectfully,
WM. E. HARVEY,
Territorial Librarian.

By R. S. KNOX, Deputy.

CATALOGUE.

MISCELLANEOUS, OR FAMILY LIBRARY.

Adams, John, Life of, 7 vols., by Chas. F. Adams; Arvine's Cyclopedia of Moral and Religious Anecdote; Artillerist's Manual, by Gibbon.

Birds of America, 7 vols., by John James Audubon; British Poets, 58 vols.; Boswell's Life of Johnson, 10 vols; Bancroft's History of the United States, 6 vols.; Brande's Encyclopedia, Brazil, Travels in, by John Maws.

Central America, Travels in, by John S. Stevens, Esq.; Calhoun, John C., 4 vols., by R. K. Cralle; Cook's Voyages, 2 vols., by Capt. James Cook; Crabbe's Synonymes; Canoe Voyage, 2 vols., by J. W. Featherstonheaugh; Chile and La Plata, Travels in, by John Miers.

Democracy in America, by Mon. de Tocqueville; De Witt Clinton, Life and Writings of, by W. W. Campbell.

Elliott's Debates on the Constitution, 4 vols.; Encyclopedia Amaricana, 14 vols.; Ewbanks' Hydraulics and Mechanics.

Franklin, Benjamin, the Works of, 10 vols., by Jared Sparks; Francais' Reign of Terror, 2 vols., by J. P. and W. P. Robertson; Fairfax's Tasso.

Goldsmith's Animated Nature, 4 vols.; Godman's American Natural History, 3 vols.

Harris on Thunder storms, 1 vol.; Hoare on the Grape Vine, 1 vol.; Hamilton, Alexander, the Works of, 7 vols., by John C. Hamilton; Holy Bible.

Irving's Works, vols. 4, 5, 8, and 11; Iroquois, the League of, by Lewis H. Morgan.

Lossing's Pictorial Field Book of the Revolution; Lieber's Penitentiary System.

Moneett's Valley of the Missippi, 2 vols.; Madison Papers, 3 vols., by Henry D. Gilpin.

Nicaragua, its People, Scenery, etc., 1 vol., by E. G. Squier; Naturalist's Library, 37 vols.; Nutall's Ornithology.

Ossian, Poems of, by James McPherson, Esq.

Peru, Prescott's Conquest of, 2 vols., by Wm. H. Prescott; Puritans, History of, 3 vols., by Daniel Neal; Principles of beauty in Art, by James Ferguson, F. R. A. S.

Rural Cemetries, by James Smilie; Roman Antiquities.

Spark's American Biography, 23 vols., Statesman's Manual, vols. 3 and 4; Shakspeare, 3d and 4th vols.; Speeches on the Indian Bill

Tehuantepec, the Isthmus of, by J. J. Williams; The Fruit Garden, by P. Barry; The Cabinet Gazetteer.

Vermont, History of, by B. H. Hall.

Washington, George, Life and Writings of, 12 vols.; by Jared Sparks; Washington and Adams, Administration of, 2 vols., by George Gibbs; Webster, Daniel, the Works of, 6 vols.; Webster's Diplomatic and Official Papers, 1 vol.; Webster's Dictionary, 1 vol., by Noah Webster.

LAW LIBRARY.

ALABAMA.

Laws of 1856–7–8; new series of Reports of; vols. 25, 26, 27, 28, 29, 30, 31, and 32; second biennial Geological Report of.

ARKANSAS.

Vols 1, 2, 3, 4, 5, 6, 7, and 8, English's Report of; vols. 1, 2, 3, 4, and 16, Reports of; vol. 5, Pike's Rep.; Digest of Statutes of Arkansas, 1858; first vol. Geological Report of; one vol. Geological Report.

CALIFORNIA.

Vols 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 15, 16, Reports of, duplicate; Duplicate Statutes of, from 1854 to 1860, inclusive; Senate and Assembly Journals, and Appendix to, of 5th to 10th session, inclusive, (dup.); Senate and Assembly Journals, and Appendix to, and Statutes of 11th session; Governor's Message; Transactions of State Agricultural Society; Statutes of 1861.

Received, since report of Dec. 2d, 1861—Vols. 17 (dup.,) 19, 20, 21, Reports of; Statutes of 1862 and 1863; Senate and Assembly Journal, Appendix to same, 15 session; Statutes 1863–64, dup.

CONNECTICUT.

Vols. 2 to 22 inclusive, Reports of; vols. 3 and 4 private laws of; Compilation of 1854 laws of; Public Laws of 1855–6–7; Laws of 1860; public Acts of 1858–9; Journals of Assembly of 1858; New Haven Colonial Records, 2 vols.; Colonial Records of Connecticut, 1 and 2; transactions of State Agricultural Society, 1859.

Received, since report of Dec. 2d, 1861—Private Acts, May session, 1861; Public Acts, special session, October, 1861, and May session 1862; Public Acts, May, 1863; Private Acts, December, 1862, and May, 1863, duplicate.

COLORADO TERRITORY.

Received, since report of Dec. 2d, 1861—Laws of 1860, 1861, and 1862.

DELAWARE.

No Reports or Laws received.

DAKOTA TERRITORY.

Received, since report of Dec. 2d, 1861—Laws of 1862; Laws of 1862–63; Laws of 1863–64; Council and House Journals, 1863–64.

FLORIDA.

Vols. 4, 5, 6, Report of; duplicate Journal House of Representatives 9th session; duplicate Journal of Senate 7th session; duplicate Journal House of Representatives 8th session; duplicate copies Journal and Laws 20th session of Assembly; duplicate Journal Senate 8th session; duplicate Journal House of Representatives 9th session; duplicate Laws 8th and 9th session; vols. 7 and 8 Reports of.

GEORGIA.

Vols. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, Reports of.

No Reports or Laws received.

ILLINOIS.

Vols. 1, 3, 4, Scammon's Reports of; vols. 1, 2, 3, 4, 5, Gilman's Reports of; vols. 11, 12, 13, 14, (duplicate) 15, 16, 17, 18, 19, 20, Reports of; vols. 1, 2, Freeman's Digest of Reports; Laws of 1854 to 1857 inclusive; vols. 1, 2, Statutes of, D. B. Cook & Co.'s edition; three copies of Laws of 1859; Governor' Message; vols. 21, 22, Reports and Laws of 1860, (duplicate.)

Received, since report of Dec. 2d, 1861—Reports of, from vol. 23 to 30, inclusive; Reports of, by Breese and Beecher, vol. 1st; Public Laws of 1861; Private Laws 1861; Public and Private Laws of 1863; Adj't Gen. Fuller's Report, 1861–2; Fourth Biennial Report of the Superintendent of Public Instruction, 1861–62.

INDIANA.

Reports 1848–9; vols. 1, 2, 3, Carter's Reports of; vols. 3, 4, 5, 6, 7, Porter's of; vols. 8, 9, Tanner's Reports of; Assembly Journals 1857; Revised Statutes; 2 vols. Laws of 1861.

Received, since report of Dec. 2d, 1861—Harrison's Reports of vol. 15

IOWA.

Vols. 1, 2, 3, G. Green's Reports of; vols. 1, 2, 3, 4, 5, 6, Clark's Reports of; Statutes 1853; Code of Iowa, 1851; School Laws, 1855; Laws of 1857; Code of 1856; Laws of 1858; vols. 7, 8, Clark's Reports; Laws of 1859–60.

Received since Report of Dec. 2d, 1861—Withrow's Reports of, vols. 9, 10, 12, 13, 14; Laws of 1862; Laws of 1864, (triplicate); Adj't Gen.'s Report, 1864.

KANSAS.

Statutes of 1855; Laws 1857–8; Journals of House and Council 1857–58; Laws and Journals of Legislative Assembly 1859.

Received, since report of Dec. 2d, 1861—Laws of 1861, duplicate; Compiled Laws 1862, duplicate; Laws of 1863, duplicate.

KENTUCKY.

Vols. 1 to 7 inclusive, Monroe's Reports of; vols. 1 to 9 inclusive, Dana's Reports of; vols. 1 to 10 inclusive, 12 to 15 inclusive, B. Monroe's Reports; Revised Statutes of 1852; vols. 1 to 7 inclusive, J. J. Marshall's Reports; Governor's Message, and Laws of 1859–60; vols. 1, 2, Monroe & Harlan's Digest of Reports of; acts of Kentucky (triplicate copies) 1853–4; acts of Kentucky (duplicate copies) 1855–56; vol. 1 Metcalf's Reports; Revised Statutes by R. H. Stanton 2 vols.; vol. 2 Metcalf's Reports.

Received, since report of Dec. 2d, 1861—Metcalf's Reports, vol 3d; Acts of called session 1861; Acts of May, 1861; Acts of 1861–62 and 1862–63 dup.; Report of Commissioner of Com Schools, 1863; Adj't Gen.'s Report, 1864.

LOUISIANA.

Vols. 1 to 10 Martin's Reports of; vol. to 10 Louisiana Reports; vols. 1 to 12 Robinson's Reports; Revised Statutes, 1856; Acts of 1856, 1858, 1859, and 2 vols. 1860; Voorhie's Crim. Jurisprudence 1860.

MAINE.

Vols. 1 to 44 inclusive, Reports; Revised Statutes 1857; Laws 1857–8–9, duplicate copies; vols. 43, 44, Reports of; Virgin's Digest of; vol. 45 Maine Reports.

Received, since report of Dec. 2d, 1861—Laws of 1860 and 1862.

MARYLAND.

Vols. 1 to 9 Gill's Reports of; Laws of 1856–58; Convention Journals 1851; Senate and House Journals 1856–7–8; Public Laws of Maryland, vols. 1, 2; Laws of 1860.

Received, since report of Dec. 2d, 1861—Vols. 16, 17, 18, Reports of; Laws of 1861 and 1861–62.

MASSACHUSETTS.

Vols. 1 to 6 inclusive Gray's Reports; vols. 1 to 17 inclusive, Reports of vols. 1 to 21 inclusive, Pickering's Reports; vols. 1 to 12 inclusive, Metcalf's Reports; vols. 1 to 11 inclusive, Cushing's Reports; Catalogue of State Library; Laws 1856–7; 9 vols. Plymouth Colony Record; Public Documents 1858–9: vol. 7 Gill's Reports; Laws and Public Documents 1860; 2 vols. Acts and Resolves 1861; 2 vols. Special Laws 1849 to 1853, inclusive; Public Documents, 3 vols., 1861; vol. 1 Allen's Reports.

Received, since report of Dec. 2d, 1861—Vols. 7, 8, 9, 14, Gray's Reports of; vols, 2, 3, 4, Allen's Reports; Acts and Resolves 1862, dup.

MICHIGAN.

Vol. 1, Manning's Reports; vol. 1, Walker's Chancery Reports; vols. 1, 2, Douglas' Reports; vols. 2, 3, 4, Gibb's Reports; Laws 1857; vols. 1, 2, Cooley's Reports; Laws of 1859; School Reports of 1855–6–7; Transactions Agricultural Society, 1857; Laws of 1860; vol. 8, Michigan Reports.

Received, since report of Dec. 2d, 1861—Vol. 9, Reports of; Laws of 1861, 1862, and 1863.

MINNESOTA.

Statutes, of, from 1849 to 1858; Laws of 1858 and 1850; Constitutional Debates of; vol. 1, Reports of; Laws and Journals of Assembly of 1869; Bank Report and Governor's Message; Executive Documents 1860; Senate Journal, 3d session; House Journal, 3d session; Statistics of Minnesota; vols. 1, 2, 3, 4, Minnesota Reports.

Received, since report of Dec. 2d, 1861—Vols. 5, 7, 8, Reports of; Laws of 1861–62–63–64; Exec. Documents 1863.

MISSISSIPPI.

Vols. I to 14 inclusive, Smeed's & Marshall's Reports; 1, 2, Cushman's Reports; vol. 24 Mississippi Reports; vols. 3, 4, George's Reports; Assembly Journals 1858; Laws of 1858; Laws 1859 and 1860.

MISSOURI.

Vols. 4 to 9, 11 to 22, 24 to 26, Reports of; Digest of Reports, Casselberry; Laws of 1859; Laws of 1857; Barkley's Digest of Reports.

Received, since report of Dec. 2d, 1861—Vols. 29, 31, 32, 33, Reports of; Laws of 1863, triplicate.

NEW HAMPSHIRE.

Vols 1 to 12 inclusive, Reports of; vols. 13, 19, second series of Reports of; vols 1 to 10 inclusive, Foster's Reports of; vols. 1, 2, 3, 4, Foggs' Reports of; Bell's Digest Reports of; Laws of 1858; Journals of Assembly, 1856 to 1859 inclusive; vols. 5, 6, Fogg's Reports; 12th Reports of Common Schools; Catalogue of State Library,; Laws of 1859 and 1860.

Received, since report of Dec. 2d, 1861—Vols. 1, 2, 4, Chandler's Reports of; Laws of 1863, dup.

NEW JERSEY.

Vol. 1, Green's Reports of; vols. 2, 3, 4, Harrison's Reports of; vol. 1, Spencer's Reports of; vols. 1, 3, Southard's Reports of; vols. 1, 2, 3, 4, Zabriskie's Reports of; vols. 1, 2, 3, Green's Chancery Reports of; vols. 1, 2, Stockton's Chancery Reports of; Nixon's Digest of Laws, 1709 to 1755; Laws of 1855, 1856, 1857; vol. 2, Dutcher's Reports; Laws of 1859, 1860; Laws of 1861.

Received, since report of Dec. 2d, 1861—Vol. 3d, Dutcher's Reports; vol. 1st Beaseley's Reports; Laws of 1863, dup.

NEW YORK.

Vols. 1 to 20 inclusive, Johnson's Reports; 1 to 11, Paige's Chancery Reports; 1 to 9, Cowen's Reports; 1 to 26, Wendell's Reports; 1 to 70, Hill's Reports, 1 to 5, Denio's Reports; 1 to 4, Court of Appeals, 'Comstock;' 1 to 4, Smith's Reports; 1 to 7, Johnson's Chancery Reports; Hopkins' Chancery Reports; 1, 2, 3, Revised Statutes, 2d edition, from 1828 to 1835; Laws of New York from 1836 to 1859 inclusive, 1 vol. Tax Laws; Index to Laws from 1842 to 1855; Code of Public Instruction; General Index to Laws of 1842; Code of Civil Procedure; Code of Criminal Procedure, 1 vol. Poor Laws; vols. 1, 2, 3, 4, Reports of the Commissioners on Practice and Pleadings, of Code of Procedure; 1 Supplement to the Code Procedure; Special Acts of Code of Civil and Criminal Procedure; vols. 1 to 10 inclusive, Colonial History; Convention Journal, 1846; 11 copies 71st Report Regent's University; 1 copy 11th Report Regent's University; 1 copy 72d Report Regent's University; 22 vols. Documents Assembly, 1857 to 1859; Report of Trustees State Library; vols. 1 to 3, Johnson's Case; 1 to 3, Cames' Reports, 1, 2, 3, Barbour's Chancery Reports; Parker's Criminal Reports, 2 vols.; Laws of 1861; Journals of the Legislative Council from 1691 to 1743; 13th, 14th, 74th, Annual Report State University; 43d Annual Report State Library; Assembly Journal 4th session 1780.

Recieved, since report of Dec. 2d, 1861—Laws of 1862, 1863; Senate and Assembly Journal 1863; Senate Documents 1863, from vol. 1 to 5 inclusive; Assembly Documents 1863, vols. 1, 3, 4, 5, 6, 7, 8, 9; Regents Report 1863; Trustees' Report, Sate Library 1863; 16th Annual Report, Regents of the University of the State of New York.

NORTH CAROLINA.

Vols. 1 to 13 inclusive, Iredell's Law Report; 1 Busbee's Law Reports; 1 Jones' Digest of Reports; 2 to 5, Jones' Law Reports; 1; 2, Devereux's Equity; 1 to 8 inclusive, Iredell's Equity; 1 Busbee's Equity; 2, 3, Jones' Equity; Revised Code of 1855; Laws of 1855, 1856, 1857.

NEVADA.

Received, since report of Dec. 2d, 1861—Laws of 1860.

OHIO.

Vols. 1 to 9 inclusive, Hammond's Revised Reports; 1 to 6 inclusive, Hammond's State Reports; 1 Supreme State Reports; 1 Swann's Statutes, Derby's Edition; 7, 8, Ohio State Reports; Duplicate copies Ohio School Laws of Ohio, 1858; Nash's Digest; Laws of 1859; vols, 9, 10, 11, Ohio State Reports; Revised Statutes, 1861.

Received, since report, of Dec. 2d, 1861—Laws of 1863; Senate and House Journals 1863; Statistics of 1862; Agrcl. State, Society's Report 1862; Library Report, 1863; Sup.'t State House Report 1863; Report of Common Schools 1863; Report of Reform Schools 1863; vols. 12, 13, 14, Ohio State Reports; Statistics of 1863; Exec. Documents, part 1 and 2, 1863; Laws of 1864.

OREGON.

Laws of 1857, 1858; Journals of Council and House, 1857, 1858; Laws and Journals of 1859.

Received, since report of Dec. 2d, 1861—Vol. 1, Reports of; Laws of 1860; Code of Civil Procedure, 1862.

PENNSYLVANIA.

Vols. 1, 2, 3, 4, Dallas' Reports; 1, 2, 3, Reports of; 1 to 10 inclusive, Watts' Reports; 1, to 4, 6 to 9 inclusive, Watts and Sergeant's Reports; 1 to 17 inclusive, Sergeant and Rawle's Reports; vols. 1 to 23 inclusive, and vol. 25 State Reports; Laws of from 1789 to 1850, 1856, 1857, 1858, 1859, and 1860; Governor's Message and Public Documents 1850.

Received, since report of Dec. 2d, 1861—Laws of 1861, dup.; Laws of 1862, 1863.

RHODE ISLAND.

Vols. 1, 2, 3, 4, 5, Reports of; Laws of 1855 to 1859 inclusive; Laws January and May sessions of 1858; Revised Statutes of; 4 vols. Colonial Records; Supplement to Revised Statutes; Index to Acts and Resolutions, 1758 to 1850; Census of the Colony 1774; Report General Assembly 1856 to 1859 inclusive; Laws of January session, 1860.

Received, since report of Dec. 2d, 1861—Vol. 6, Reports of, dup.; Laws of May session 1860; Laws, May session 1861; Laws, May session 1862; Laws, special session August 1862; Laws, January session 1862; Laws, January session 1863.

SOUTH CAROLINA.

Vols. 1, 2, McCord's Reports of; vols. 1, 2, Nott and McCord's Reports; vol. Harper's Law Reports; vol. 9 Richardson's Law Reports; vol. 1 Bailey's Equity Reports; vol. 1 to 4 Equity Reports; vol. 1 Cheever's Law Cases; vol. 1 Cheever's Chancery Cases; Acts, Rep. of General Assembly 1852.

Addition—Acts of 1857, 1858, 1859.

TENNESSEE.

Vols. 2, 3, 4, 5, Smeed's Reports; Laws of 1869 and 1860; Public Documents and Papers of Assembly 1859, 1860; duplicate copies Code of; Laws of 1857 and 1858; Report of State Officers.

TEXAS.

Vols. 11, 13, 14, 15, 16, 17, 18, 19, 20. Reports; vol. 1 Digest of Reports; Laws of 1855, 1856; Oode of 1857; Laws of 1857 and 1858; Oldham's and White's Digest Laws; House and Senate Journals.

UTAH TERRITORY.

Revised Laws of 1855, Daws of 1858.

VERMONT.

Vols. 28, 29, 30, Williams' Reports; Laws of 1858; Catalogue of State Library: History of, by B. H. Hall; Sermon delivered before the General Assembly; Report of the Geological Survey; Report on the Marbles of Vermont; Report of the Auditor of Accounts; Report of the Railroad Commissioner, 3d report; Report of the Board of Education, 2d report; Laws and Documents of the Assembly of 1859, '60; Report of Auditor of Accounts 1859; Report on the Artificial Propagation of Fish; Report of Committee on Dred Scott decision; Geological Report of 1859; Journals of Assembly 1856, '57, '58, '59; First Registration Report, etc.; vols. 1 to 24 inclusive, Reports of; vols. 1 and 2 Tyler's Reports; vol. 1, Chapman's Reports; Reports of Cases 1793, 1821, '24; Reports of State Officers; Laws of 1861; 3d Registration Report 1859; House and Senate Journals 1860, and extra session, 1861.

Received, since report of Dec. 2d, 1861—Vols. 38, 29, 30, 31, 32, 33, 34, Reports of; Laws of 1862, 1863; Senate and House Journal 1863; 4th Registration Report 1860, 5th Registration Report 1861.

VIRGINIA.

Vols. 1, 2, 3, 4, Hewing and Montfort's Reports; vols. 1, 2, 3, 4, 5, 6, Mumford's Reports; vols. 1 and 2 Robinson's Reports; Journal House of Delegates; 1, 2, 3, 4, 5, parts December; 1, 2, 3, 4, 5, 6, Randolph's Reports; 1 State Reports; 1 to 12 inclusive, Lee's Reports; Session 1857, '58; Laws of 1857, '58.

WEST VIRGINIA.

Received, since report of Dec. 2d, 1861—Extra Session Laws, July, 1861; Laws of Dec. 1861; Extra Session Laws, May, 1862; Laws of 1863.

WASHINGTON TERRITORY.

Laws of 1856, '57, '58; Journals of Council and House, 1856, '57; Journals of 1858; Laws and Journals Assembly of 1859, '60.

WISCONSIN.

Vols. 1 to 5 inclusive, Reports of; vols. 1 to 4 inclusive, Chandler's Reports; vol. 6 Wisconsin Reports; Private Laws of 1854; Laws of 1854; Private Laws of 1857; Laws of 1857; Private Laws of 1858; Revised Statutes of 1858; vol. 11 Wisconsin Reports.

Received, since report of Dec. 2d, 1861—Private Laws of 1862, dup.; Laws of 1862, dup.; Laws of 1863, dup.

MISCELLANEOUS LAW LIBRARY.

Abbott on Shipping, 1 vol.; Adams on Ejectment, 1 vol.; Adams on Equity, 1 vol.; Angell on Law of Carriers, 1 vol.: Angell on Fire and Life Insurance, 1 vol.; Angell on Limitations, 1 vol.; Archbold's Criminal Practice and Pleading, 3 vols.

Bacon's Abridgment, 10 vols.; Beck's Medical Jurisprudence, 2 vols.; Bishop on Marriage and Divorce, 1 vol.; Bingham on Infancy 1 vol.; Blackstone's Commentaries, Chitty, 2 vols.; Bright on Husband and Wife, 2 vols.; Browne's Civil and Admiralty Law, 2 vols.; Browne on Statue of Frauds, 1 vol.; Broom's Legal Maxims 1 vol.; Bouvier's Law Dictionary, 2 vols.; Bouvier's Institutes, vol. 2; Burrill's Law Dictionary, 2 vols.

Cobb on Slavery, 1 vol.; Conkling's Treatise, 1 vol.; Curtis on Copyright, 1 vol.; Curtis on Patents, 1 vol.; Chitty on Bills, 1 vol.; Chitty's Pleading, 3 vols.; Chitty's Criminal Law, 1 vol.; Coke upon Littleton, 2 vols.

Dayton on Surrogates, 1 vol.; Dunlap's Admiralty Practice, 1 vol.; Dunlap's Paley's Agency, 1 vol.; Donat's Civil Law, Strahan, 1 vol.

Edwards on Receivers in Equity, 1 vol.; Edwards on Bills and Promissory Notes, 1 vol.; Edwards on Bailments, 1 vol.; English Law and Equity Reports, 24 vols.; English Common Law Reports. 91 vols.; English Chancery Reports, 43 vols.; English Courts of Admiralty Reports (Robinson) vol. 6; Exchequer reports, Crompton and Jervis, 2 vols.: Exchequer reports Crompton, Meason and Roscoe's, 2 vols.; Exchequer Reports, McLeland and Younge's, 1 vol.; Exchequer Reports, Younge's 1 vol.; Exchequer Reports, Younge and Jervis, 3 vols.; Exchequer Reports, Welsby, Hurlstone and Jordan's 10 vols.; Exchequer Reports, Meeson and Welsby's, 16 vols.; Earne on Remainders, 2 vols.

Graham's and Waterman's New Trials, 3 vols.; Gow on Partnership, 1 vol.; Gould's Pleadings. 1 vol.; Greenleaf's Overruled Cases, 1 vol.

Hillard on Mortgages 1 vol.; Hawkins' Pleas of the Crown, 2 vols.; Hill on Trustees, 1 vol.; Hugo Grotius on War and Peace.

Jarman on Wills, 2 vols.

Kent's Commentaries, 4 vols.; Kyd on Awards, 1 vol.

Leading Cases in Equity, (Hare and Wallace's Notes,) 3 vols.

Marshall on Insurance, 2 vols.; Mitford's Chancery Pleadings, (English,) 1 vol.; Morehead's Practice, 1 vol.

Parsons on Contracts, 2 vols.; Phillips on Insurance, 2 vols.; Phillips on Evidence, 5 vols.

Roberts on Frauds, 1 vol.; Roper on Legacies, 2 vols.; Roscoe's Criminal Evidence, 1 vol.; Russell on Crimes, 1 vol.

Saunders on Pleading and Evidence, 3 vols.; Sedgwick on Measure of Damages, 1 vol.; Sheppard's Touchstone, 3 vols.; Smith's Commentaries on Constitutional Construction, 1 vol.; Smith's Leading Cases, 2 vols.; Starkie on Slander; 2 vols.; Story on Agency, 1 vol.; Story on Bailments, 1 vol.; Story on Constitution, vol. 2; Story on Contracts, 1 vol.; Story on Conflicts of Laws, 1 vol.; Story on Equity Pleadings, 1 vol.; Story's Equity, vol. 2; Story on Partnerships, 1 vol.; Story on Sales, 1 vol.; Sugden on Venders, 1 volume.

The Reporters; by Jonh W. Wallace, 1 vol.

U. S. Statutes, Reports, etc.—Cranch's Reports of, vols. 3 to 9, inclusive, Wheaton's Reports of, vols. 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12; Peter's Reports of vols. 1 to 16 inclusive; Howard's Reports of, from 1 to 21 inclusive; McLean's Reports of, vols. 1 to 6 inclusive; Gordon's Digest of; Opinions of Attorneys General, from 1789 to 1850; Opinions of Attornney General, vols. 1 to 5 inclusive; Statutes at Large of, vols. 1 to 11 inclusive; Digest of Laws of, from 7 to 14 inclusive; Annals of Congress, from its first session to the 2d volume of the first session of the 18th Congress, 55 vols.; American Archives of, from 1774 to 1776, 6 vols.; Documents of Congress, 1,117 vols.; Exploring Expedition of Charles Wilkes, 10 vols.; 35 vols. U. S. Statutes, at Large and Treaties, 1st session, 36th Congress; 35 vols. do. do. 1st session 37th Congress; vol. 24 Howard's S. Court Reports; Congress Documents, 360 vols.

Viner's Abridgment, 24 vols.; Viner's Supplement, 6 vols.

Waterman's Eden on Injunctions, 1 vol.; Wheaton's Selwyn, 2 vols.; Wigram on Discovery, 1 vol.; Willard's Equity Jurisprudence, 1 vol.

The Monthly Journal of American Geographical and Statistical Society, 9 volumes.

Received, since report of Dec. 2d, 1861—35 vols. U. S. States at Large, 2d session 37th Congress; 35 vols. do. do. 3d session 37th Congress; 1st Black's U. S. Supreme Court Reports; 75 vols. Congressional Documents 1860–61; 75 vols. do. do. 1861–62; 35 vols. U. S. Statutes, 1st session 38th Congress.

STANDING RULES OF THE COUNCIL.

1. The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake may be corrected that shall be made in the entries. A quorum shall consist of a majority of the members of the Council.

2. No member shall speak to another, or otherwise interrupt the business of the Council, or read any newspapers while the journal or public papers are being read, or when any member is speaking in any debate.

3. Every member when he speaks shall address the chair, standing in his place, and when he has finished shall sit down.

4. No member shall speak more than twice in any one debate on the same day without leave of the Council.

5. When two members rise at the same time, the President shall name the person to speak; but in all cases the member who shall first rise and address the chair shall be entitled to the floor.

6. When a member shall be called to order by the President or Councilman he shall sit down; and every question out of order shall be decided by the President, without debate, subject to an appeal to the Council, and the President may call for the sense of the Council on any question of order.

7. If the member be called to order for words spoken, the exceptionable words shall immediately be taken down in writing, that the President may be better enabled to judge of the matter.

8. No member shall absent himself from the service of the Council without leave of the Council first obtained. And in case a less number than a quorum of the Council shall convene, they are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them authorized, for any or all absent members, as a majority of such members present shall agree, at the expense of such absent members, respectively, unless such excuse for non-attendance shall be made as the Council, when a quorum is convened, shall judge sufficient; and in that case the expense shall be paid out of the contingent fund. And this rule shall apply as well to the first convention of the Council at the legal time of meeting, as to each day of the session after the hour has arrived to which the Council stood adjourned.

9. No motion shall be debated till the same shall be seconded.

10. When a motion shall be made and seconded, it shall be reduced to writing, if desired by the President or any member, delivered at the table and read, before the same shall be debated.

11. When a question is under debate, no motion shall be received, but to adjourn, for the previous question, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, which several motions shall have precedence in the order they stand arranged. Any motion may be withdrawn by the mover at any time before a decision, amendments, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave of the Council.[*]

A motion to adjourn shall always be in order; that and the motion to lay on the table shall be decided without debate.

---

[*] The last sentence of Rule II was added, and a provision relating to the previous question omitted, December 20, 1855.—*Journal of the second session, page* 17.

12. If a question in debate contain several points, any member may have the same divided; but on motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition, shall not prevent a motion to strike out and insert a different proposition; nor prevent a subsequent motion, simply to strike out; nor shall the rejection of a motion simply to strike out, prevent a subsequent motion to strike out and insert.

13. In filling up blanks the largest sum and longest time shall be first put.

14. When the reading of a paper is called for and the same is objected to by any member, it shall be determined by a vote of the Council, and without debate.

15. The unfinished business in which the Council was engaged at the last preceding adjournment shall have the preference in the special orders of the day.

16. When the yeas and nays shall be called for by three of the members present, each member called upon shall, unless for special reason he be excused by the Council, declare openly and without debate, his assent or dissent to the question. In taking the yeas and nays, and upon the call of the house, the names of the members shall be taken alphabetically.

17. When the yeas and nays shall be taken on any question in pursuance of the above rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

18. On a motion made and seconded to shut the door of the Council, on the discussion of any business which may, in the opinion of a member, require secrecy, the President shall direct the gallery to be cleared; and during the discussion of such motion the doors shall remain shut.

19. No motion shall be deemed in order to admit any person or persons whatsoever within the doors of the Council Chamber to present any petition, memorial, or address, or to hear any such read.

20. When a question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment or motion upon which the vote was taken, shall have gone out of the possession of the Council, announcing their decision, nor shall any motion for reconsideration be in order, unless made on the same day on which the vote was taken, or within the next two days of actual session of the Council thereafter.

21. The President of the Council, or President *pro tempore*, shall have the right to name a member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

22. After the journal is read, the President shall first call for petitions, and then for reports from standing committees; and every petition or memorial, or other paper, shall be referred, of course, without putting a question for that purpose, unless the reference is objected to by a member at the time such petition, memorial, or other paper is presented. And before any petition or memorial addressed to the Council shall be received and read at the table, whether the same shall be introduced by the President or a member, a brief statement of the contents of the petition or memorial shall verbally be made by the introducer. *

ORDER OF BUSINESS.

23. The following shall be the order of business:
    1. Reading the journal.
    2. Petitions and memorials.
    3. Reports from standing committees.
    4. Reports from select committees.
    5. Resolutions.
    6. Notices and introduction of bills.
    7. Bills on first reading.

---

* This paragraph was added and the "order of business" also modified, December 20, 1855.—*Journal of the second session, pages* 18, 19.

8. Bills on second reading.
9. Special order.
10. Bills on third reading.
11. Bills on their passage.
12. Special order of the day.
13. Unfinished business.†

24. One day's notice, at least, shall be given of an intended motion for leave to bring in a bill; but no paper or document shall be printed for the use of the Council, without special order.††

25. Every bill shall receive three readings previous to its being passed; and the President shall give notice at each, whether it be the first, second or third; which readings shall be on three different days, unless the Council unanimously direct otherwise. And all resolutions to which the approbation and signature of the Governor may be requisite, or which may grant money out of the contingent or any other fund, shall be treated, in all respects, in the introduction and form of proceedings on them, in the Council, in a similar manner with bills; and all other resolutions shall lie on the table one day for consideration, and also reports of committees.‖

26. No bill shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

27. All committees shall be appointed by the chair, unless otherwise directed by the Council.

28. All bills on a second reading shall first be considered by the Council in the committee of the whole, before they shall be taken up and proceeded on by the Council, agreeably to the standing rules, unless otherwise ordered. And when the Council shall consider a bill or resolution, as a committee of the whole, the President, or President *pro tempore*, shall call a member to fill the chair during the time the Council shall remain in committee of the whole; and the chairman so called shall, during such time, have the power of a President *pro tempore*.*

29. The final question, upon the second reading of every bill, resolution or motion originating in the Council, and requiring three readings previous to being passed, shall be, "Whether it shall be engrossed and read a third time?" and no amendment shall be received for discussion at a third reading of any bill, resolution or motion, unless by unanimous consent of the members present; but it shall at all times be in order before the final passage of any bill, resolution or motion, to move its commitment; and should such commitment take place, and any amendment be reported by the committee, the said bill, resolution, or motion shall be again read the second time and considered in committee of the whole, and then the aforesaid question shall be again put.

30. The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted on the journals.

31. The proceedings of the Council, when not acting as in committee of the whole, shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account of the proceedings; but every vote of the Council shall be entered on the journal, and a brief statement of the contents of each petition, memorial or paper presented to the Council, shall also be inserted on the journal.†

32. When motions are made for reference of the same subject to a select committee, and to a standing committee, the question on reference to the standing committee shall be first put.

33. When nominations shall be made in writing by the Governor to the Council, a future day shall be assigned, unless the Council unanimously direct otherwise, for taking them into consideration.

34. All confidential communications, made by the Governor to the Council, shall be by the members thereof kept secret. All information or remarks, touching or concerning the character or qualifications of any person nominated by the Governor

---

† The order of business was modified, December 20, 1855.

†† Rule 24 was modified December 20, 1855.

‖ The 25th rule was modified, February 9, 1865; also, in like manner, February 6, 1864.

* Rule 28, was added, Dec. 20, 1855.

† Rule 31 was added December 30, 1855.

to office, shall be kept secret. When acting on confidential or executive business, the Council shall be cleared of all persons except the Chief Clerk, Seargant-at-Arms and Door Keeper. The legislative proceedings, the executive proceedings, and the confidential legislative proceedings of the Council, shall be kept in separate and distinct books.

35. Messages shall be sent to the House by the Assistant Clerk, Sergeant-at-Arms or Door Keeper, the Clerk having previously endorsed the final determination of the Council thereon.

36. Messages are introduced in any state of business, except when a question is being put, while the ayes and nays are being called, or while the ballots are being counted.

37. The presiding officer of the Council shall have the regulation of such parts of the Capitol and its passages, as are or may be set apart for the use of the Council and its officers.

38. The rules of the Council shall be observed in the committee of the whole, so far as they may be applicable, except limiting the time of speaking, and except the yeas and nays shall not be taken.

39. A motion that the committee rise shall always be in order, and shall be decided without debate.

40. Any officer or member of the Council convicted of disclosing any matter directed by the Council to be held in confidence, shall be liable, if an officer, to dismissal from the service of the Council, and in case a member, to suffer expulsion from that body.

41. The rules of parlimentary practice, comprised in Jefferson's manual, shall govern the Council in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the Council, and the joint rules of the Council and House of Representatives.*

42. Reporters shall be placed on the floor of the Council, under the direction of the President, and be required to inform him what papers they report for. ††

STANDING COMMITTEES.

43. The following standing committees, to consist of three members each, shall be appointed by the President at the commencement of the session:**

1. Judiciary.
2. Finance, Ways and Means.
3. Education.
4. Federal Relations.†
5. Military Affairs.
6. Highways, Bridges and Ferries.
7. Expenditures.
8. Incorporations.
9. Territorial Library.
10. Public Buildings.
11. Elections.
12. Counties.
13. Printing.
14. Agriculture.
15. Enrolled and Engrossed Bills.

The last two consist of two members.

---

*These rules were adopted January 30, 1858.—*Journal of the first session, page 33 and ante page 20.*

††Rules 39, 40, 41 and 42, were adopted December 4, 1860,—*Journal of the seventh session page* 23.

**The standing committees were modified, December 20, 1855.

†The Standing Committee on Federal Relations was added December 4, 1861. *Journal of the eighth session, page* 49.

The message being concluded, on motion of Mr. Kennedy, the convention took a recess of five minutes.

The time having expired, the convention resumed session in pursuance of recess.

Mr. Allen moved that the convention do now adjourn *sine die*.

Which was agreed to.

And the convention was thereupon declared dissolved.

The Council having returned to their chamber,

Mr. Kennedy moved that the hour of meeting of the Council be fixed at ten o'clock, A. M., (Sundays excepted.)

Which was agreed to.

On motion of Mr. Kennedy the Council adjourned until 10 o'clock on Monday morning next.

COUNCIL CHAMBER,
Monday, January 9, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll call—Absent, Mr. Kennedy.

Journal read and approved.

Mr. Allen offered the following resolution:

Resolved, That the Chief Clerk be instructed to procure, at the earliest moment, the printing of ——— copies of the Governor's Message and accompanying documents, in the English language, and ——— copies thereof in the German language, for the use of the members of the Council.

Laid over under the rule.

The following notices of bills were given:

By Mr. Griffey,

An act to provide for the election of county assessors.

Also,

An act amendatory of an act to amend an act entitled "An Act to amend Section 310 of the Code of Civil Procedure, and in relation to the competency of witnesses," approved February 15, 1864.

By Mr. Holladay,

To provide for revising and codifying the Laws of the Territory of Nebraska.

By Mr. Allen,

To legalize the assessment and equalization of taxes in Washington and Dakota Counties.

On leave given, Mr. Bennett introduced Council File No. 1, an act to make provision for the insane of Nebraska.

Read first time.

Rules suspended and the bill read second time, by its title, and committed to the committee on expenditures.

Also,

Council File No. 2, An act to provide for the payment of the Militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August ——, A. D. 1864.

Read first time.

Rules suspended and the bill read a second time and committed to the committee on military affairs.

Mr. Allen introdeced,

Council File No. 3, An act relative to official bonds of county clerks and county commissioners.

Read first time.

Rules suspended and the bill read a second time and committed to the committee on the judiciary.

Also,

Council File No. 4, An act to change the time for returning venires of petit jurors in the 3d judicial district.

Read first time.

Rules suspended and the bill read a second time and committed to a select committee, consisting of Messrs. Holladay, Allen and Griffey.

Mr. Holladay introduced,

Council File No. 5. An act to amend an act entitled "An act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.

Read first time.

Rules suspended and the bill read a second time, by its title, and committed to the committee on the judiciary.

On motion of Mr. Allen the Council proceeded to the second reading and consideration of the resolution relative to printing the Governor's message.

Mr. Allen moved that the first blank be filled by inserting "3000."

Carried.

Mr. Griffey moved to fill the second blank by inserting "1000."

Mr. Chapman moved to fill the same by inserting "1500."

Mr. Bennett moved to fill the same by inserting "2000."

The question being taken on inserting "2000,"

It was lost.

The question was next put on inserting "1500,"

Which was agreed to.

And the resolution was adopted.

On motion of Mr. Holladay the Council adjourned until to-morrow morning at 10 o'clock.

COUNCIL CHAMBER,
Tuesday, January 10, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Bayne, from the committee on military affairs, made the following report:

Mr. President:

Your committee, to whom was referred Council File No. 2, An act to provide for the payment of the militia of Nebraska, called into service to repel hostile indians, by proclamation of the Governor, August ——, A. D., 1864, having given the matter that serious consideration which the importance of the subject demands, beg leave to report the bill back to the Council without amendment, and recommend its passage. We feel impelled to adopt this course by a sense of duty as well as a proper regard for the future welfare and security of the Territory and safety of the property of its citizens, believing that the General Government will at an early day, reimburse the Territory for the amount thus expended. Should we refuse to pay this claim, and another emergency of a similar character should arise, men would be slow to give their time without remuneration, and leave their families, to protect the pathway westward and the property of citizens on our frontiers.—We therefore respectfully recommend the passage of this act as eminently just and proper.

All of which is respectfully submitted.

O. P. BAYNE, *Chairman,*
J. R. PORTER,
J. N. MCCASLAND,

Mr. Holladay, from the select committee on that subject, reported

Council File, No. 4. An act to change the time for returning venires of petit jurors in the third judicial district,

Without amendment.

Mr. Chapman, on leave given, introduced Council File No. 6—Memorial and joint resolutions praying relief for the Nebraska Militia and for the protection of the overland mail route.

Read first time.

Rules suspended and the bill read a second time, by its title, and ordered to be printed.

The following notices of bills were given:

By Mr. Kennedy,

Of a memorial and joint resolution to the Congress of the United States for the establishment of an insane asylum in Nebraska.

By Mr. Bennett,

Of an act in relation to courts.

By Mr. Chapman,

Of an act to regulate the salaries and fees of certain officers in the Territory of Nebraska.

Also,

Of an act to provide for the enrollment of persons subject to military duty.

By Mr. Holladay,

Of an act to repeal a part of section two of an act entitled "an act to apportion and define councilman districts," approved January 28, 1864.

Mr. Bennett, on leave given, introduced

Council File No. 7—An act to encourage agriculture and promote the growth of timber and fruit trees, and to restrain stock from running at large in the Territory of Nebraska.

Read first time.

Rules suspended and the bill read a second time, by its title, and ordered to be printed.

Mr. Allen, on leave given, introduced

Council File No. 8—An act to amend section three of an act regulating the distribution of the laws and journals.

Read first time.

Rules suspended and the bill read a second time and committed to the committee on counties.

On motion of Mr. Porter,

Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August ——, A. D., 1864, was re-committed to the committee on expenditures.

Council File, No. 4—An act to change the time for returning venires of petit jurors in the third judicial district, being taken up,

Mr. Allen moved to suspend the rules, and that the bill be read a third time, by its title, and put upon its passage,

Which was agreed to.

Bill passed and title agreed to.

On motion of Mr. McCasland, the Council adjourned until 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Wednesday, January 11, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll call—Absent, Mr. Albertson.
Journal read and approved.

Mr. Allen, from the committee on counties, reported
Council File No. 8—An act to amend section three of "an act regulating the distribution of the laws and journals,"
Without amendment.

Mr. Miller, from the committee on expenditures, reported
Council File No. 1—An act to make provision for the insane of Nebraska,
Without amendment.
Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August ——, A. D., 1864,
With an amendment by way of substitute therefor.

Mr. Holladay offered the following resolution:
Resolved, That all printing ordered by the Council shall be printed under the supervision of the Secretary of the Territory.
Laid over under the rules.

The following notices of bills were given:
By Mr. McCasland,
Of an act to amend an act entitled "an act to restrain stock from running at large in Pawnee county, Nebraska Territory," approved February 15, 1864.
By Mr. Allen,
Of an act to amend certain sections of the revenue law of this Territory.

Mr. Holladay introduced
Council File No. 9—An act to repeal a part of section two of an act entitled "an act to apportion and define councilman districts," approved January 28, 1864.
Read first time.
Rules suspended and the bill read a second time and committed to a select committee, consisting of Messrs. Holladay and Allen.

Council File No. 6—Memorial and joint resolutions for the relief of the Nebraska militia.
Read a second time.
Mr. Chapman moved that the printed bill be substituted for the original bill.
Which was agreed to.

Mr. Chapman moved to amend by striking out the words "and resolutions" in the fifth line of the fourth resolution, in the printed bill.

Which was agreed to.

Mr. Blanchard moved to amend by striking out the letter "z" in the first line of the fifth resolution, and inserting the letter "x."

Which was agreed to.

Mr. Allen moved to amend by inserting the words "and the Hon. P. W. Hitchcock, our delegate elect," after the word "Daily," in the second line of the fourth resolution.

Which was agreed to.

Mr. Allen moved to amend by striking out the word "he," in the same line, and inserting the word "they;" also to strike out the word "is," and insert "are."

Which was agreed to.

Mr. Holladay moved to amend by striking out the words "poor-man's," in the first line of the second resolution.

Which was agreed to.

Mr. Porter moved that the Council resolve itself into committee of the whole, on said bill.

Which was agreed to.

Mr. Porter in the chair.

After some time the committee arose, and by their chairman, reported the bill, with sundry amendments.

Mr Chapman moved that the report be adopted and the bill ordered engrossed for a third reading to-morrow.

Which was agreed to.

Council File No. 1—An act to make provision for the insane of Nebraska.

Mr. Bennett moved that the rules be suspended and the bill read a third time, by its title, and be put upon its passage.

Which was agreed to.

Mr. Holladay moved to reconsider the vote by which the bill was ordered to a third reading.

Which was agreed to.

Mr. Bennett moved that the bill be engrossed for a third reading to-morrow.

Which was agreed to.

Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August ——, A. D., 1864.

On motion of Mr. Holladay the bill was ordered to be printed, and made the special order for to-morrow.

Council File No. 7—An act to encourage agriculture, promote the growth of timber and fruit trees, and to restrain stock from running at large in the Territory of Nebraska.

Mr. Bennett moved that the bill be committed to the committee on agriculture.

Which was agreed to.

Council File No. 8—An act to amend section three of an act regulating the distribution of the laws and journals.

Mr. Allen moved that the rules be suspended and the bill read a third time and put upon its passage.

Which was agreed to.

Bill passed and title agreed to.

Mr. Holladay moved that a committee of two be appointed by the Council to confer and advise with a similar committee on the part of the House, in relation to revising and codifying the general laws of Nebraska.

Which was agreed to.

Messrs. Holladay and Kennedy were appointed said committee.

Mr. Allen moved that a committee of two be appointed on the part of the Council to confer with a similar committee on the part of the House in relation to joint rules.

Which was agreed to.

Messrs. Allen and Chapman were appointed said committee.

Mr. Chapman presented the petition of Henry T. Clarke, contesting the right of Corrington Blanchard to a seat in the Council, as councilman from the 4th district, composed of the counties of Sarpy and Dodge.

The President presented papers and documents in relation to the same.

On motion of Mr. Miller, the Council adjourned until 10 o'clock to-morrow morning.

COUNCIL CHAMBER,
Thursday, January 12, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

On motion of Mr. Chapman, the memorial of Henry T. Clarke, contesting the seat of Mr. Blanchard, together with the accompanying documents, were referred to the committee on elections.

Mr. Miller presented the remonstrance of citizens of Cass county against the passage of a herd law in ranges 13 and 14, in said county.

Referred to the committee on agriculture.

Mr. Kennedy, from the committee on the judiciary, reported

Council File No. 3—An act relative to official bonds of county clerks and county commissioners.

With an amendment by way of substitute therefor.

Council File No. 5—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.
Without amendment.
Mr. Holladay, from the committee on engrossed bills, reported
Council File No. 1—An act to make provision for the insane of Nebraska.
Council File No. 6—Memorial and joint resolutions for the relief of the Nebraska militia.
Correctly engrossed.

The Council proceeded to the second reading and consideration of the following resolutions:
Resolved, That all printing ordered by the Council shall be printed under the supervision of the Secretary of the Territory.
The resolution was agreed to.

Mr. Griffey gave notice,
Of an act to provide for keeping open the offices of certain county officers at the county seats of their respective counties.

Mr. Kennedy introduced,
Council File No. 10—An act to authorize Henry Kruse, his associates and successors, to erect and maintain a mill dam across the Elkhorn river.
Read first time.

Mr. Chapman, on leave, introduced
Council File No. 11—An act to locate a territorial road from Plattsmouth city, in Cass county, to intersect the Nebraska City steam wagon road, at or near the Salt Basin, in Lancaster county.
Read first time.

Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August ——, A. D., 1864.
The council resolved itself into committee of the whole on said bill, Mr. Porter in the chair.
After some time the committee arose, and by their chairman, reported the bill, with amendments.
The report of the committee was adopted.
Mr. Kennedy offered the following amendment:
At the end of section two add the following words: "And the Governor shall report the amount of bonds by him sold, and to whom sold, to the Territorial Auditor, as soon after the sale of said bonds as may be, and return any bonds in his hands, remaining unsold, to the Territorial Treasury.
Which was agreed to.
On motion of Mr. Holladay the bill was ordered engrossed for a third reading, to-morrow.

Council File No. 3.—An act relative to official bonds of county clerks and county commissioners.

Substitute read and adopted.

On motion of Mr. Kennedy the title was amended, to read as follows:

"An act respecting official bonds and oaths."

And the bill ordered engrossed for a third reading to-morrow.

Council File No. 6—Memorial and joint resolution praying relief for the Nebraska militia, and for the protection of the overland mail route.

On motion of Mr. Porter the bill was read a third time, by its title, and put upon its passage.

Bill passed and title agreed to.

Council File No. 1—An act to make provision for the Insane of Nebraska.

Mr. Chapman moved to amend section 1, by adding to the enacting clause the words "of the Territory of Nebraska."

Carried.

And the bill ordered to be engrossed for a third reading to-morrow.

Mr Allen, from the joint committee on joint rules, made the following report.

Mr. President:

Your select committee, appointed to confer with a like committee from the House, on joint rules for the government of the Council and House of Representatives, having had the same under consideration, beg leave to report; and recommend that the joint rules of last session be adopted, with the following amendments.

In seventh rule, second line, strike out "three," and insert "two."

All of which is respectfully submitted.

E. A. ALLEN,
J. W. CHAPMAN.

JOINT RULES

OF THE COUNCIL AND HOUSE OF REPRESENTATIVES, TENTH SESSION OF THE NEBRASKA LEGISLATURE.

1. In every case of an amendment of a bill agreed to in one House, and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall appoint a committee to confer, such committee shall, at a convenient hour, to be agreed upon by their Chairman, meet and state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the Council to the House of Representatives, it shall be announced at the door of the House by the doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Council.

4. Messages shall be sent by such persons as a sense of propriety in each House may determine to be proper, and they may be transmitted from one house to the other at any time, provided neither house shall have adjourned for a longer period than one day. *

5. While bills are on their passage between the two houses, they shall be on paper, and under the signature of the Chief Clerk of each house respectively.

6. After a bill shall have passed both houses, it shall be duly enrolled by the Enrolling Clerk of the House of Representatives, or of the Council, as the bill may have originated in the one or the other house, before it shall be presented to the Governor of the Territory for his approval. †

7. When bills are enrolled, they shall be examined by a joint committee of two from the Council and five from the House of Representatives, appointed as a standing committee for that purpose, one of whom from each house shall carefully compare the enrollment with the engrossed bills, as passed in the two houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective houses. ||

8. After examination and report, each bill shall be signed in their respective houses, first by the Speaker of the House of Representatives, then by the President of the Council.

9. After a bill shall have been thus signed in each house, it shall be presented by the said committee, to the Governor for his approbation, (it being

---

These joint rules were adopted in the Council, January 16, 1856.—*Journal of the second session, page* 87.

* All after the word "proper," in the 4th rule, added October 1, 1858.—*Council Journal of the fifth session page* 52.

† Phraseology changed October 1. 1858

|| The numbers have varied and the words "one of whom from each house," were inserted in the report made January 7, 1862.—*Journal of the eighth session, page* 163.

first endorsed on the back of the roll, certifying in which house the same originated; which endorsement shall be signed by the Chief Clerk of the house in which the same did originate,) and shall be entered on the journal of each house. The said committee shall report the day of presentation to the Governor; which time shall be carefully entered on the journal of each house.*

10. All orders, resolutions and votes which are to be presented to the Governor of the Territory for his approbation, shall also, in the same manner be enrolled, examined and signed; and shall be presented in the same manner, and by the same committee as provided in the case of bills.

11. When the Council and House of Representatives shall judge it proper to make a joint address to the Governor, it shall be presented to him by the President of the Council, in the presence of the Speaker and both houses.

12. When a bill or resolution, which has been passed in one house shall be rejected in the other, it shall not be brought in during the same session without leave of two-thirds of that house in which it shall be renewed.†

13. Each house shall transmit to the other, in case they are demanded, all papers on which any bill or resolution shall be founded.

14. After each house shall have adhered to their disagreement, a bill or resolution shall be lost.

On motion of Mr. Holladay, the council adjourned until 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Friday, January 13, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called—Absent Mr. Bennett.
Journal read and approved.

Mr. Holladay, from the committee on engrossed and enrolled bills, made the following report:

Mr. President:

Your committee on engrossed and enrolled bills report that they have examined Council File No. 1, and find the same correctly engrossed.

A. S. HOLLADAY,
THOS. L. GRIFFEY.

---

* The last sentence of the 9th rule was added October 1, 1858.—*Journal of the fifth session, page* 53.

† The rule originally required also a notice of three days.—*Journal of the second session, page* 88.

The 12th and 16th rules, adopted at the second session, were dropped at the fifth session, and have not since been revived.

Mr. Holladay, from the joint committee in relation to revising the laws made the following report:

Mr. President:

Your committee, appointed on the part of the Council, to confer with a like committee on the part of the House, to take into consideration the best and most practicable method to effect a thorough revision of our laws, would respectfully state that they have conferred with the committee appointed on the part of the House for that purpose, and recommend the passage of an act providing for a thorough revision of our laws; the general form of revision to conform, as near as practicable, to Swan's Revised Statutes of Ohio and would recommend the appointment of a competent commissioner for that purpose, who should submit his revised laws on the second day of next session of the Legislature; and further recommend that an appropriation, under certain restrictions, be made, to defray the necessary expenses of such revision.

A. S. HOLLADAY,
B. E. B. KENNEDY.

Mr. Blanchard gave notice,

Of an act to vacate the town of Plattford, in Sarpy county, Nebraska Territory.

Mr. Kennedy, on leave given, introduced,

Council File No. 12—An act to amend an act entitled "an act to confirm the title of Thomas Martin and J. N. Coriell to certain real estate in the city of Omaha," approved January 10, 1861.

Read first time—rules suspended, bill read a second time and committed to the committee on the judiciary.

Council File No. 11—An act to locate a territorial road from Plattsmouth city, in Cass county, to intersect the Nebraska City steam-wagon road, at or near the salt basin, in Lancaster county.

Read a second time, and committed to the committee on roads.

Council File No. 10—An act to authorize Henry Kruse, his associates and successors, to erect and maintain a milldam across the Elkhorn river.

Read second time and committed to the committee on corporations.

Council File No. 5—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1865.

Council resolved itself into committee of the whole, Mr. Allen in the chair.

After some time the committee arose, and the chairman reported the bill, with certain amendments, and recommended that the bill be re-committed to the committee on the judiciary.

The report was adopted, and the bill so committed.

The following messages from the house, by Mr. Taffe, their chief clerk, were received :

Mr. President :

I am instructed to inform your honorable body that the House has passed,

House File No. 3—A bill for an act to locate and establish a territorial road from the toll bridge, on the Little Nemaha, to Roy's ferry, on the Big Nemaha; and the concurrence of the Council is respectfully requested.

I also return herewith,

Council File No. 4—An act to change the time for returning venires of petit jurors, in the third judicial district, the same having passed the House without amendment.

Mr. President :

I am instructed to inform your honorable body that the House has passed,

House File No. 2—A bill for an act to authorize William Kline, his associates and assigns, to construct and keep a mill-dam across the Elkhorn river.

Also,

House File No. 8—A bill for an act to locate and establish a territorial road from West Point, Cuming county, to Ponca, in Dixon county.

And the concurrence of the Council is respectfully requested.

Council File No. 1—An act to make provision for the insane of Nebraska.

Read third time, passed and title agreed to.

House File No. 8—An act to locate and establish a territorial road from West Point, Cuming county, to Ponca, in Dixon county.

Read first and second time and committed to the committee on roads.

House File No. 3—An act to locate and establish a territorial road from the toll bridge on the Little Nemaha, to Roy's ferry, on the Big Nemaha.

Read first and second time, and committed to the committee on roads.

House File No. 2—An act to authorize William Kline, his associates and assigns, to construct and keep a mill-dam across the Elkhorn river.

Read first and second time and committed to a select committee of one.

Mr. Allen was appointed said committee.

On motion of Mr. Holladay the Council adjourned until 10 o'clock to-morrow morning.

COUNCIL CHAMBER,
Saturday, January 14, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called—absent, Mr. Porter.

Journal read and approved.

Mr. Bennett, from the committee on agriculture, reported

Council File No. 7—An act to encourage agriculture, promote the growth of timber and fruit trees and restrain stock from running at large in Nebraska, with amendments, and recommend its passage.

Mr. Holladay, from the committee on engrossed and enrolled bills, reported,

Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August 4th, A. D., 1864.

Also,

Council File No. 3—An act respecting official bonds and oaths.

Correctly engrossed.

Mr. Kennedy, from the committee on the judiciary, reported

Council File No. 12—An act to amend an act entitled "an act to confirm the title of Thomas Martin and J. N. Coriell to certain real estate in the city of Omaha," approved January 10, 1861, with amendments, and recommend its passage.

Mr. Kennedy, from the same committee, reported

Council File No. 5—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property and for the levying and collection of taxes in the territory of Nebraska," approved January 15, 1864, with amendments, and recommend its passage.

The following notices of bills were given:

By Mr. Holladay,

Of an act to amend certain portions of the criminal code, and to confer jurisdiction upon justices of the peace, in certain cases.

By Mr. Allen,

Of an act to authorize Louis Bowvier, and his associates, to erect and keep a mill-dam on Mill creek, in Washington county.

Council File No. 5—An act to amend an act entitled "An act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the territory of Nebraska," approved February 15, 1864.

Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman reported the bill, with certain amendments.

The report was adopted and the bill ordered engrossed for a third reading to-morrow.

Council File No. 7—An act to promote the growth of timber and fruit trees and restrain stock from running at large in Nebraska.

The Council resolved itself into committee of the whole on said bill, Mr. Porter in the chair.

After some time the committee arose, and by their chairman reported the bill, with certain amendments.

Report adopted and bill ordered engrossed for a third reading to-morrow.

Council File No. 12—An act to amend an act entitled "an act to confirm the title of Thomas Martin and J. F. Coriell to certain real estate in the city of Omaha.

On motion of Mr. Kennedy, the amendments reported by the committee on the judiciary were adopted, and the bill ordered engrossed for a third reading to-morrow.

Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August 11, 1864.

Read third time, passed, and title agreed to.

Mr. Blanchard, from the committee on roads, on leave given, reported

House File No. 3—An act to locate and establish a territorial road from the toll bridge, on the Little Nemaha, to Roy's ferry, on the Big Nemaha.

Also,

House File No. 8—An act to locate and establish a territorial road from West Point, Cuming county, to Ponca, in Dixon county.

Without amendments, and recommended their passage.

House File No. 8—An act to locate and establish a territorial road from West Point, Cuming county, to Ponca, in Dixon county.

On motion of Mr. Allen, the rule was suspended, and the bill read a third time, by its title.

Bill passed, and title agreed to.

House File No. 3—An act to locate and establish a territorial road from the toll bridge, on the Little Nemaha, to Roy's ferry, on the Big Nemaha.

Mr. Chapman moved that the rule be suspended, and the bill read a third time, and put upon its passage.

Mr. Bennett moved that the bill be re-committed to the committee on the judiciary, with instructions to enquire whether there is a general law by which such roads may be laid out without special legislative enactment.

Which motion was not agreed to.

The question recurring on the motion of Mr. Chapman,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Blanchard, Chapman, Griffey, Holladay, Kennedy, McCasland, Miller—10.

Nays—Messrs. Bennett, Porter—2.

Carried.

Bill passed and title agreed to.

On motion of Mr. Chapman the report of the committee on joint rules was adopted.

On motion of Mr. Holladay, the Council adjourned until Monday morning next, at 10 o'clock.

COUNCIL CHAMBER,
Monday, January 16, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Holladay, from the committee on engrossed and enrolled bills, reported,

Council File No. 5—An act to amend an act entitled "An act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the territory of Nebraska," approved February 15, 1864.

Council File No. 7—An act to encourage agriculture, promote the growth of timber and fruit trees, and to restrain stock from running at large in Nebraska.

Council File No. 12—An act to amend an act entitled "an act to confirm the title of Thomas Martin and J. N. Coriell to certain real estate in the city of Omaha," approved January 10, 1864.

Correctly engrossed.

Mr. Porter gave notice of a bill to revise and consolidate the several acts relative to the city of Omaha, and for other purposes.

Council File No. 3—An act respecting official bonds and oaths.

Read third time, bill passed and title agreed to.

Council File No. 5—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the territory of Nebraska," approved February 15, 1864.

Read third time.

Mr. Allen moved that the further consideration of the bill be indefinitely postponed.

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bennett, Blanchard and Porter—5.

Nays—Messrs. Bayne, Chapman, Griffey, Holladay, Kennedy, McCasland and Miller—7.

So the motion was not agreed to.

And the question recurring on the passage of the bill,

The yeas and nays were demanded,

Pending which, Mr. Allen moved to re-commit the bill to a select committee of three, of which Mr. Chapman should be chairman.

On which question the yeas and nays were demanded.

Yeas—Messrs. Allen, Bennett, Blanchard and Porter—4.

Nays—Messrs. Albertson, Bayne, Chapman, Griffey, Holladay, Kennedy, McCasland and Miller—8.

So the motion was not agreed to.

The question recurring on the passage of the bill.

Yeas—Messrs. Albertson, Bayne, Chapman, Griffey, Holladay, Kennedy, McCasland and Miller—8.

Nays—Messrs. Allen, Bennett, Blanchard and Porter—4

Bill passed, and title agreed to.

Council File No. 7—An act to encourage agriculture, promote the growth of timber and fruit trees, and restrain stock from running at large in Nebraska.

Mr. Allen moved to re-commit the bill to the committee on agriculture.

Which was agreed to,

And the bill so re-committed.

Council File No. 12—An act to amend an act entitled "an act to confirm the title of Thomas Martin and J. N. Coriell to certain real estate in the city of Omaha," approved January 10, 1861.

Read third time.

Call of the House demanded.

Absent, Mr. Chapman,

Mr. Allen moved that the Sergeant-at-Arms be dispatched after absentee.

And it was so ordered.

Mr. Chapman appearing within the bar, on motion of Mr. Allen, all further proceedings under the call were dispensed with.

Bill passed, and title agreed to.

Mr. Blanchard, from the committee on roads, reported,

Council File No. 11—An act to locate a territorial road from Plattsmouth city, in Cass county, to intersect the Nebraska City steam wagon road at or near the salt basin, in Lancaster county.

With amendments, and recommend its passage.

Mr. Chapman moved that the rule which requires bills reported to lie over one day, be suspended, and the report of the committee adopted.

Which motion was agreed to,

And the amendments were adopted.

Mr. Holladay moved that the bill, as amended, be ordered engrossed for a third reading to-morrow.

It was so ordered.

On motion of Mr. McCasland the Council adjourned till 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Tuesday, January 17, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

The president presented the petition of citizens of the 8th school district of Nebraska City, praying for the repeal of the law prohibiting swine from running at large, so far as relates to said district.

Also,

The remonstrance of citizens of Cass and Otoe counties, protesting against the enactment of a herd law.

Mr. Bennett presented the petition of citizens of certain precincts of Otoe county, for a law to restrain all kinds of stock from running at large during the day, in said precincts, to be submitted to a vote of the people at the election on the first day of March, 1865.

Which was referred to the committee on agriculture.

Mr. Holladay, from the committee on engrossed and enrolled bills, reported,

Council File No. 11—An act to locate a territorial road from Plattsmouth city, in Cass county, to intersect the Nebraska steam wagon road, at or near the salt basin, in Lancaster county.

Correctly engrossed.

Mr. Griffey introduced,

Council File No. 13—An act to amend the code of civil procedure, and relative to the competency of witnesses.

Read first time; rules suspended and the bill read a second time and committed to the committee on the judiciary.

Mr. Holladay introduced,

Council File No. 14—An act to amend certain portions of the criminal code, and to confer jurisdiction upon justices of the peace in certain cases.

Read first time; rules suspended and the bill read a second time and committed to the committee on the judiciary.

A message from the house, by Mr. Taffe, their chief clerk.

Mr President:

I am instructed to inform your honorable body that the House has passed,

House File No. 4—A bill for an act to authorize Hugh Coat, Thomas Coat and George Homewood to erect and keep a mill-dam across the Little Nemaha river.

Also,

House File No. 7—A bill for an act to legalize the organization of Jones county.

And the concurrence of the Council is respectfully requested.

I also return herewith,

Council File No. 8—An act to amend an act regulating the distribution of the laws and journals, &c.

The same having passed the House without amendment.

Mr. Porter introduced,

Council File No. 15—An act to revise and consolidate the several acts relative to the city of Omaha, and for other purposes.

Read first time; rules suspended and the bill read a second time and committed to a select committee composed of the members from the county of Douglas.

Mr. Kennedy introduced,

Council File No. 16—An act to regulate the appointment and duties of Receivers.

Read first time; rules suspended and the bill read a second time and committed to the committee on the judiciary.

Mr. Holladay gave notice of a bill to repeal an act entitled "an act to consolidate certain actions in the district courts."

Also,

To set apart portions of a certain street and alley in the city of Brownsville, for the use of the Walnut Grove Cemetery.

A message from the House, by Mr. Taffe, their chief clerk.

Mr President:

I am instructed to inform your honorable body that the House has passed,

Council File No. 6.—Memorial and joint resolutions for the relief of the Nebraska militia, with amendments thereto attached; and the concurrence of the Council is respectfully requested.

House File No. 7—An act to legalize the organization of Jones county.

Read first time, rules suspended and the bill read a second time, and committed to the committee on the judiciary.

House File No. 4—An act to authorize Hugh Coat, Thomas Coat and George Homewood to erect and keep a mill-dam across the Little Nemaha river.

Read first time; rules suspended and the bill read a second time and committed to the committee on Corporations.

Council File No. 11—An act to locate a territorial road from Plattsmouth City, in Cass county, to intersect the Nebraska City steam wagon road, at or near the salt basin, in Lancaster county.

Read a third time, and passed.

Mr. Chapman moved to amend the title so as to read as follows:

An act to locate a territorial road from Plattsmouth City, in Cass county, to intersect the territorial road immediately south of the salt basin and west of Salt creek, in Lancaster county.

Which was agreed to.

And title, as amended, agreed to.

Council File No. 6—Memorial and joint resolutions praying relief for the Nebraska militia, and protection of the great overland mail route.

Mr. Allen moved that the Council concur in the first amendment of the House to said bill.

Which was agreed to.

Mr. Chapman moved that the Council disagree to the second amendment.

Which was agreed to.

Mr. Allen moved that a committee of two, on the part of the Council, be appointed to confer with a similar committee on the part of the House in reference to the disagreement of the two houses on said bill.

Which was not agreed to.

Mr. Bennett, from the committee on agriculture, reported,

Council File No. 7—An act to promote the growth of timber and fruit trees, and to restrain stock from running at large in Nebraska,

With certain amendments.

Mr. Allen moved that the rule be suspended and the bill be considered, now.

Which was agreed to.

The Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

A message from the House, by Mr. Taffe, their chief clerk:

Mr. President:

I am instructed by the House to inform your honorable body that the House has passed,

House File No. 42—Joint resolution and memorial for the creation of the Department of the Plains.

And the concurrence of the Council is respectfully requested.

Also,

That the House insists on its last amendment to Council File No. 6—Memorial and joint resolutions for the relief of the Nebraska militia.

After some time the committee arose, and by their chairman, reported progress, and asked leave to sit again.

Report adopted.

House File No. 42—Joint resolution and memorial for the creation of the Department of the Plains.

Mr. Chapman moved that the rules be suspended and the bill read a first, second and third time, and put upon its passage.

Which was unanimously agreed to.

Bill passed, and title agreed to.

On motion of Mr. Miller the Council adjourned until 10 o'clock to-morrow morning.

COUNCIL CHAMBER,
Wednesday, January 18, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Allen presented the remonstrance of citizens of De Soto precinct, Washington county, against the passage of a herd law for that precinct.

Referred to the committee on agriculture.

The following notices of bills were given:

By Mr. Chapman,

Of an act to more particularly define the corporate limits of the city of Plattsmouth, and for other purposes.

By Mr. Porter,

Of an act to regulate the entry and disposal of town sites.

Mr. Holladay introduced,

Council File No. 17—An act to repeal an act entitled "an act to consolidate certain actions in the District Courts."

Read first time; rules suspended and the bill read a second time by its title, and committed to the committee on the judiciary.

Mr. Chapman, on leave given, introduced,

Council File No. 18—An act to authorize and regulate the adoption of children.

Read first time; rules suspended and the bill read a second time and committed to the committee on the judiciary.

Mr. Chapman also introduced,

Council File No. 19—An act to incorporate the Masonic and Odd Fellows Hall Company of Plattsmouth, Nebraska.

Read first time; rules suspended and the bill read a second time and committed to the committee on corporations.

Mr. Blanchard, on leave given, introduced,

Council File No. 20—An act to authorize Charles Laing to keep a ferry across the Platte river, in the counties of Sarpy and Cass, Nebraska Territory.

Read first time.

Mr. Allen introduced,

Council File No. 21—An act to legalize the assessment and collection of taxes in Washington and Dakota counties.

Read first time; rules suspended and the bill read a second time and committed to the committee on the judiciary.

Council File No. 7—An act to promote the growth of timber and fruit-trees, and restrain stock from running at large in Nebraska.

Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman, reported the bill, without amendment.

Mr. Bennett moved that the report of the committee on agriculture be adopted.

Mr. Chapman moved to amend the amendments reported by the committee by inserting in the 5th section, after the word "Pawnee," the words "and Cass."

Mr. Bennett moved to lay that motion upon the table.

Which latter motion was agreed to.

Mr. Miller moved to lay the report of the committee on the table.

Which motion was not agreed to.

The question recurring on the adoption of the report of the committee on agriculture,

Call of the House demanded.

On motion of Mr. Chapman all further proceedings under the call were dispensed with.

The report of the committee was adopted.

Mr. Chapman moved that the bill be engrossed for a third reading on the 14th day of February next.

Mr. Allen moved to lay that motion on the table.

Which latter motion was agreed to.

Mr. Allen moved that the bill be engrossed for a third reading to-morrow.

And it was so ordered.

Council File No. 6—Memorial and joint resolutions praying relief for the Nebraska militia and protection of the great overland mail route.

Mr. Allen moved that the Council recede from its disagreement to the second amendment of the House.

Mr. Miller moved to lay that motion on the table.

Which latter motion was agreed to.

Mr. Allen moved that a committee of two be appointed to confer with a like committee on the part of the House relative to the disagreement of the two Houses.

Mr. Miller moved to amend the motion by striking out the word "two," and inserting "one," and that Mr. Chapman be said committee.

Which was not agreed to.

The question recurring on the motion of Mr. Allen,

It was so ordered.

And Messrs. Allen and Chapman were appointed said committee.

On motion of Mr. Bennett, the Council adjourned till 10 o'clock to-morrow morning.

COUNCIL CHAMBER,
Thursday, January 19, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called—absent, Messrs. Allen and Chapman.

Journal read and approved.

Mr. McCasland presented the remonstrance of citizens of Pawnee county against a herd law, and any change in the existing laws restraining stock in that county.

Also,

The remonstrance of citizens of Pawnee county against the passage of a herd law for that county.

Which were referred to the committee on agriculture.

Mr. Kennedy, from the committee on the judiciary, reported,

Council File No. 15—An act to amend the code of civil procedure, and relative to the competency of witnesses.

Council File No. 17—An act to repeal an act entitled "an act to consolidate certain actions in the district courts."

Council File No. 21—An act to legalize the assessment and collection of taxes in Washington and Dakota counties,

With amendments.

Also,

House File No. 7—An act to legalize the organization of Jones county,

Without amendment.

Mr. Holladay, from the committee on engrossed and enrolled bills, reported,

Council File No. 7—An act to promote the growth of timber and fruit trees and restrain stock from running at large in Nebraska.

Correctly engrossed.

Mr. Chapman, from the committee on corporations, reported,

Council File No. 10—An act to authorize Henry Kruse, his associates and successors, to erect and maintain a mill-dam across the Elkhorn river.

With amendments.

Also,

Council File No. 19—An act to incorporate the Masonic and Odd Fellows Hall Company of Plattsmouth, Nebraska.

Without amendment.

Mr Holladay offered the following resolution:

Resolved, That the Council and House of Representatives of the Territory of Nebraska shall adjourn, *sine die*, on the first Monday of February, A. D. 1865.

Laid over under the rule.

Mr. Porter introduced,

Council File No. 22—An act to regulate the entry and disposal of town sites.

Read first time; rules suspended and the bill read a second time and ordered to be printed.

Mr. Bennett, on leave given, introduced,

Council File No. 23—An act to provide for the funding of the warrants of Otoe county.

Read first time; rules suspended and the bill read a second time and committed to a select committee of one.

Mr. Bennett was appointed said committee.

Mr. Bennett, on leave given, introduced,

Council File No. 24—An act to incorporate Columbus, in Platte county, in the territory of Nebraska.

Read first time; rules suspended and the bill read a second time and committed to the committee on corporations.

Council File No. 20.—An act to authorize Charles G. Laing to keep a ferry across the Platte river, in the counties of Sarpy and Cass, Nebraska Territory.

Read second time, and committed to the committee on corporations.

Council File No. 13—An act to amend the code of civil procedure, and relative to the competency of witnesses.

The Council resolved itself into committee of the whole house on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman reported the bill, with the amendments of the judiciary committee, and recommended their adoption, and that the bill be printed.

Report adopted, and the bill, as amended, ordered to be printed.

Mr. Allen, from the committee of conference on Council File No. 6—Memorial and joint resolutions praying relief for the Nebraska militia and protection of the great overland mail route, made the following report:

Mr. President:

Your committee on conference, appointed to confer with a like committee from the House, relative to the disagreement of the respective bodies on Council File No. 6, beg leave to report that they have had the same under consideration, and recommend that the Council agree to the amendment adopted by the House, defined as follows, to-wit:—Page 5, eleventh line, after the word "the," strike out "poor man's highway," and insert "great overland route." Page 7, second line, before the word "overland" insert "great."

All of which is respectfully submitted.

E. A. ALLEN,
J. W. CHAPMAN.

The report was adopted.

Council File No. 17—An act to repeal an act entitled "an act to consolidate certain actions in the district courts."

The Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman reported the bill, with the amendments, of the judiciary committee.

The report was adopted, and the bill as amended ordered to be engrossed for a third reading to-morrow.

Mr. Holladay, from the committee on enrolled bills, reported that the committee had examined and found truly enrolled,

Council File No. 4—An act to change the time for returning venires of petit jurors in the 3d judicial district.

Council File No. 8—An act to amend section three of an act regulating the distribution of the laws and journals.

And after having them signed by the Speaker of the house, President and Chief Clerk of the Council, presented then to the Governor for his signature at 11 o'clock, this 18th day of January, A. D., 1865.

House File No 7—An act to legalize the organization of Jones county.

The Council resolved itself into committee of the whole on said bill, Mr. Chapman in the chair.

After some time the committee arose and by their chairman reported the bill, without amendment.

The report was adopted, rules suspended and the bill read a third time.

Bill passed and title agreed to.

Council File No. 10—An act to authorize Henry Kruse, his associates and successors, to erect and maintain a mill-dam across the Elkhorn river.

The Council resolved itself into committee of the whole on said bill, Mr. Chapman in the chair.

A message from the House by Mr. Taffe, their chief clerk.

Mr. President:

I am instructed to inform your honorable body that the House has passed

House File No. 10—An act to confirm the elective franchise to citizens residing temporarily on the Iowa and Sac reservation.

Also,

House File No. 16—An act to amend section 310 of the code of civil procedure and relative to the competency of witnesses.

Also,

House File No. 35—An act to amend the herd law of Cuming city precinct, Washington county, Nebraska.

And the concurrence of the Council is respectfully requested.

I am further instructed to inform your honorable body that the house has appointed Messrs. Maxwell, Brown and McCandlish a committee of conference to confer with the committee already appointed on the part of the Council in reference to the disagreement of the two houses upon House amendment to Council File No. 6—Memorial and joint resolutions for the relief of the Nebraska militia.

After some time the committee arose, and by their chairman reported the bill, without amendment, and recommending that the further consideration of the bill be postponed until the fourth day of July next.

The question being on the adoption of the report,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bennett, Blanchard, Chapman, Griffey and Porter—6.

Nays—Messrs. Allen, Bayne, Holladay, Kennedy, McCasland and Miller—6

Mr President voting in the affirmative.

The report was adopted and the bill so postponed.

Council File No. 19—An act to incorporate the Masonic and Odd Fellows Hall Company of Plattsmouth, Nebraska.

On motion of Mr. Kennedy the bill was considered in council.

Mr. Allen moved to postpone the further consideration of the bill until to-morrow.

Mr. Kennedy moved to postpone till the fourth day of July next.

Mr. Miller moved to lay the last motion on the table.

Carried.

The question recurring on the motion of Mr. Allen,

It was agreed to.

Council File No. 21—An act to legalize the assessment and collection of taxes in Washington and Dakota Counties, N. T.

The Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman reported the bill, with the amendments of the judiciary committee.

Report adopted, and the bill as amended ordered engrossed for a third reading to-morrow.

Council File No. 6—Memorial and joint resolutions praying relief for the Nebraska militia and protection of the great overland mail route.

On motion of Mr. Kennedy the report of the committee of conference was adopted.

Council File No. 7—An act to promote the growth of timber and fruit trees, and to restrain stock from running at large in Nebraska.

Mr. Bennett moved that the bill be read a third time and put upon its passage.

House File No. 16—An act to amend an act to amend section 310 of the code of civil procedure, and relative to the competency of witnesses.

Mr. Chapman moved to lay that motion upon the table.

Which latter motion was not agreed to.

Mr. Miller moved to postpone the further consideration of the bill till one week from Monday next.

Which was not agreed to.

Mr. Kennedy moved to re-commit the bill to the committee on agriculture with instructions to amend section —— by striking out the word "and" before the word "hedge," and inserting the word "or', instead.

Which was not agreed to.

The question recurring on the motion of Mr. Bennett,

Mr. Allen moved the previous question, which was seconded, and the main question ordered and put, viz: Shall the bill be read a third time now?

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Blanchard, Griffey, Holladay and McCasland—8.

Nays—Messrs. Chapman, Kennedy, Miller and Porter—4.

So it was so ordered.

Bill read third time,

The question being on the passage of the bill.

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Blanchard, Griffey, Holladay and McCasland—8.

Nays—Messrs. Chapman, Kennedy, Miller and Porter—4.

So it was so ordered.

Bill read third time.

The question being on the passage of the bill,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Blanchard, Griffey, Holladay and McCasland—8.

Nays—Messrs. Chapman, Kennedy, Miller and Porter—4.

Bill passed and title agreed to.

House File No. 10—An act to confirm the elective franchise to citizens residing temporarily on the Iowa and Sac reservation.

Read first time.

Rules suspended and the bill read a second time and committed to the committee on the judiciary.

House File No. 35—An act to amend the herd law of Cuming City precinct, Washington county, Nebraska.

Read first time.

Rules suspended and the bill read a second time and committed to the committee on agriculture.

Read first time.

Rules suspended and the bill read a second time, and committed to the committee on the judiciary.

On motion of Mr. Kennedy, leave of absence was granted to Mr. Chapman until 11 o'clock on Monday morning next.

On motion of Mr. Allen, leave of absence was granted to Mr. Miller until 11 o'clock on Monday morning next.

On motion of Mr. Allen the Council adjourned until to-morrow morning at 10 o'clock.

COUNCIL CHAMBER,
Friday, January 20, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Allen presented the petition of citizens of De Soto precinct, Washington county, praying for a herd law for that precinct.
Referred to the committee on agriculture.

Mr. Holladay, from the committee on engrossed bills, reported
Council File No. 21—An act to legalize the assessment and collection of taxes in Washington and Dakota counties, N. T.
Council File No. 17—An act to repeal an act entitled "an act to consolidate certain actions in the district courts.
Correctly engrossed.

Mr. Kennedy, from the committee on the judiciary, reported
Council File No. 16—An act to regulate the appointment and duties of Receivers,
With amendments.
House File No. 10—An act to confirm the elective franchise to citizens residing temporarily on the Iowa and Sac reservation,
Without amendment.

The Council proceeded to the second reading and consideration of the following resolution:
Resolved, That the Council and House of Representatives of the Territory of Nebraska shall adjourn, *sine die*, on the first Monday of February, A. D. 1865.
The question being on its passage,
The yeas and nays were demanded.
Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Blanchard, Griffey, Holladay, Kennedy, McCasland and Porter—10.
Nays—none.
So the resolution was adopted.

Council File No. 16—An act to regulate the appointment and duties of Receivers.

The Council resolved itself into committee of the whole house on said bill, Mr. Kennedy in the chair.

After some time the committee arose and by their chairman reported with the amendments of the judiciary committee, as amended.

Report adopted, and the bill as amended ordered to be printed.

House File No. 10—An act to confirm the elective franchise to citizens residing temporarily on the Iowa and Sac reservation.

On motion of Mr. Kennedy the bill was considered in council.

Mr. Kennedy moved that the bill be read a third time, by its title, and put upon its passage.

A message from the House, by Mr. Taffe, their chief clerk.

Mr. President:

I am instructed to inform your honorable body that the House has passed

House File No. 11—An act to amend an act entitled "an act to provide for elections."

House File No. 12—An act to authorize Z. James Parsons, and his associates and assigns, to keep a ferry across the Missouri river at Rulo, Richardson county.

House File No. 14—An act granting to Christopher Maloney a ferry charter across the Missouri river.

House File No. 15—An act to apportion one member of the House of Representatives to Hall, Buffalo and Merrick counties, and to disconnect said counties from Platte county.

House File No. 33—An act to provide for revising the laws of Nebraska.

And the concurrence of the Council is respectfully requested.

I am also instructed to inform your honorable body that the House has adopted the report of the committee of conference upon the disagreement of the two houses in relation to house amendment to Council File No. 6—Memorial and joint resolutions for the relief of the Nebraska militia.

Mr. Allen moved that the bill, House File No. 10, be re-committed to the committee on the judiciary.

And it was so ordered.

Council File No. 19—An act to incorporate the Masonic and Odd Fellows Hall Company of Plattsmouth, Nebraska.

Mr. Allen moved the rules be suspended and the bill read a third time, and put upon its passage.

Mr. Mason moved to lay the bill upon the table.

Which latter motion was agreed to.

Mr. Kennedy, from the select committee on the bill, on leave given, reported

Council File No. 15—An act to revise and consolidate the several acts relative to the city of Omaha, and for other purposes.

With sundry amendments.

Council File No. 13—An act to amend the code of civil procedure and relative to the competency of witnesses.

The Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose and by their chairman reported the bill with amendments, and recommend its re-commitment.

Report adopted, and the bill re-committed to the committee on the judiciary.

Council File No. 22—An act to regulate the entry and disposal of town sites.

On motion of Mr. Allen the further consideration of the bill was postponed for the present.

Council File No. 15—An act to revise and consolidate the several acts relative to the city of Omaha, and for other purposes.

On motion of Mr. Kennedy the rules were suspended and the amendments of the select committee on the subject adopted.

Bill ordered to be engrossed for a third reading to-morrow.

Council File No. 21—An act to legalize the assessment and collection of taxes in Washington and Dakota counties.

Read a third time, and bill passed.

Mr. Allen moved to amend the title as follows: Strike out the word "collection," and insert in lieu thereof the word "levy."

Which was agreed to.

And the title as amended was agreed to.

Council File No. 17—An act to repeal an act entitled "an act to cousolidate certain actions in the district courts.

Read third time, passed, and title agreed to.

House File No. 11—An act to amend an act entitled "an act to provide for elections.

Read first time—rules suspended and the bill read a second time and committed to the committee on elections.

House File No. 12—An act to authorize Z. James Parsons, his associates and assigns, to keep a ferry across the Missouri river at Rulo, Richardson county, N. T.

Read first time; rules suspended and the bill read a second time and committed to the committee on Corporations.

House File No. 14—An act granting to Christopher Maloney a ferry charter across the Missouri river.

Read first time; rules suspended and the bill read a second time and committed to the committee on corporations.

House File No. 15—An act to apportion one member of the House of Representatives to Hall, Buffalo and Merrick counties, and to disconnect said counties from Platte county.

Read first time, rules suspended and the bill read a second time, and committed to the committee on the judiciary.

A message from the house, by Mr. Taffe, their chief clerk.

Mr President:

I am instructed to inform your honorable body that the House has passed,

House File No. 18—An act to amend an act entitled "an act defining the duties of county surveyors," approved February 15, 1864.

House File No. 29—An act to authorize Samuel Walsh and M. J. Shields, their associates and assigns, to erect and keep a ferry across the Elkhorn river.

House File No. 38—An act to attach a portion of Polk county to Platte county.

And the concurrence of the Council is respectfully requested.

I also return herewith,

Council File No. 11—An act to locate a territorial road from Plattsmouth city, in Cass county, to intersect the Nebraska City steam wagon road, at or near the salt basin, in Lancaster county.

Council File No. 12—An act to amend an act entitled "an act to confirm the title of Thomas Martin and J. N. Coriell to certain real estate in the city of Omaha," approved January 10, 1861.

The same having passed the House without amendment.

House File No. 33—An act to provide for revising the laws of Nebraska.

Read first time; rules suspended and the bill read a second time and committed to the committee on the judiciary.

House File No. 18—An act to amend an act entitled "an act defining the duties of county surveyors," approved February 15, 1864.

Read first time; rules suspended and the bill read a second time and committed to the committee on the judiciary.

House File No. 29—An act to authorize Samuel Walsh and M. J. Shields, their associates and assigns, to erect and keep a ferry across the Elkhorn river.

Read first time; rules suspended and the bill read a second time and committed to the committee on corporations.

House File No. 38—An act to attach a portion of Polk county to Platte county.

Read first time; rules suspended and the bill read a second time and committed to the committee on counties.

Mr. Holladay moved to adjourn until 10 o'clock to-morrow morning.

Mr. Kennedy moved to adjourn until 10 o'clock on Monday morning next.

The question being taken on the latter motion,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bennett, Blanchard, Kennedy and Porter—6.

Yeas—Messrs. Bayne, Griffey, Holladay and McCasland—4.

So the Council adjourned until 10 o'clock on Monday morning next.

COUNCIL CHAMBER,
Monday, January 23, 1865.

Council met pursuant to adjournment.

The President being absent

Mr. Porter moved that Mr. Allen be appointed President *pro tempore*,

Which was agreed to.

Mr. Allen took the chair.

Prayer by the Chaplain.

Roll call—Absent, Messrs. Bennett, Chapman, Miller and Mason.

Journal read and approved.

Mr. Holladay presented the memorial of twenty-three members of company C., First Nebraska veteran cavalry, praying for additional pay from the territory, and other relief.

Referred to the committee on finance.

Mr. Bayne gave notice

Of an act to provide for the enrolling, organization and calling out and paying the militia of Nebraska.

Council File No. 22—An act to regulate the entry and disposal of town sites.

Mr. Holladay moved that the bill be committed to its appropriate committee.

Which was not agreed to.

The Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman, reported the bill, without amendment.

Report adopted, and the bill ordered to be engrossed for a third reading to-morrow.

On motion of Mr. McCasland the Council adjourned till 10 o'clock to-morrow morning.

COUNCIL CHAMBER,
Tuesday, January 24, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called—Absent, Mr. Blanchard.

Journal read and approved.

Mr. Kennedy, from the committee on the judiciary, reported

Council File No. 13—An act to amend the code of civil procedure, and relative to the competency of witnesses.

House File No. 10—An act to confirm the elective franchise to citizens residing temporarily on the Iowa and Sac reservation.

With sundry amendments.

House File No. 16—An act to amend "an act to amend section 310 of the code of civil procedure, and relative to the competency of witnesses,"

House File No. 18—An act to amend an act entitled "an act defining the duties of county surveyors,"

Without recommendation.

Council File No. 14—An act to amend certain portions of the criminal code, and to confer jurisdiction upon justices of the peace in certain cases.

With a negative recommendation.

Mr. Chapman, from the committee on elections, reported

House File No. 11—An act to amend an act entitled "an act to provide for elections."

With a negative recommendation.

The following notices of bills were given:

By Mr. McCasland,

Of act to restrain bulls, bucks and stallions from running at large.

By Mr. Porter,

Of an act to provide for the leasing of school lands in the Territory of Nebraska.

Mr. Bayne introduced

Council File No. 25—An act to provide for the enrolling, organization, calling into service and paying the Nebraska militia.

Read first time; rules suspended and the bill read a second time and committed to the committee on military affairs.

Council File No. 16—An act to regulate the appointment and duties of Receivers.

The Council resolved itself into committee of the whole on said bill, Mr. Chapman in the chair.

A message from the Governor, by Mr. Knox, his private secretary:

EXECUTIVE CHAMBER,
January 24, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the Governor to inform your honorable body that he has approved and signed,

"An act to change the time for returning venires of petit jurors in the third judicial district."

"An act to amend section three of an act regulating the distribution of the laws and journals."

R. S. KNOX, *Private Secretary.*

After some time the committee arose, and by their chairman reported the bill, (Council File No. 16.) with sundry amendments.

On motion of Mr. Kennedy the amendments made in committee of the whole were separately read and agreed to.

Ordered that the bill be engrossed for a third reading to-morrow.

A message from the House, by Mr. Taffe, their chief clerk.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

House File No. 13—An act to provide for the protection of sheep, and for destroying wolves and wild cats in Nebraska Territory.

House File No. 37—An act to change a portion of the territorial road from Rulo, Richardson County, to Blue Springs, in Gage county, Nebraska Territory.

House File No. 40—An act to locate a territorial road.

House File No. 45—An act supplementary to an act to incorporate the city of Arago, approved January 10, 1860.

And the concurrence of the Council is respectfully requested.

House File No. 11—An act to amend an act entitled "an act to provide for elections."

Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman, reported the bill with the recommendation that it be indefinitely postponed.

Report adopted and the bill indefinitely postponed.

Mr. Holladay, from the committee on engrossed and enrolled bills reported that the committee had examined and found truly enrolled bills of the following titles:

Council File No. 6.—Memorial and joint resolutions for the relief of the Nebraska militia.

Council File No. 12—An act to amend an act entitled "an act to confirm the title of Thomas Martin and J. N. Coriell to certain real estate in the city of Omaha," approved January 10, 1861.

And,

Council File No. 11—An act to locate a territorial road from Plattsmouth City, in Cass county, to intersect the Territorial road immediately south of the salt basin, and west of salt creek, in Lancaster county.

And after having the same signed by the speaker of the House and President of the Council, and endorsed by the Chief Clerk of the Council, presented them to the Governor for his approval, at half past 11 o'clock this 24th day of January, 1865.

The committee also reported,

Council File No. 15—An act to revise and consolidate the several acts relative to the city of Omaha, and for other purposes.

Correctly engrossed.

House File No. 16—An act to confirm the elective franchise to citizens residing temporarily on the Iowa and Sac reservation.

The council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman, reported the bill, with sundry amendments.

Report adopted and the bill ordered engrossed for a third reading tomorrow.

Council File No. 14—An act to amend certain portions of the criminal code, and to confer jurisdiction upon justices of the peace in certain cases.

Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman reported the bill without amendment, and with the recommendation that the bill be laid upon the table.

Report adopted.

Ordered that the bill be laid upon the table.

Council File No. 13—An act to amend the code of civil procedure, and relative to the competency of witnesses.

Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman reported the bill, with sundry amendments.

Report adopted and the bill ordered engrossed for a third reading tomorrow.

House File No. 16—An act to amend an act to amend section 310 of the code of civil procedure, and relative to the competency of witnesses.

Mr. Kennedy moved that the bill be laid upon the table,

Which was so ordered.

House File No. 18—An act to amend an act entitled "an act defining the duties of county surveyors," approved February 15, 1864.

Mr. Kennedy moved that the bill be laid upon the table.

Which was so ordered.

Mr. Allen moved to reconsider the vote by which House File No. 10 was ordered to be engrossed.

Which motion was agreed to.

On motion of Mr. Chapman the Council adjourned until 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Wednesday, January 25, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Chapman, from the committee on corporations, reported

Council File no. 24—An act to incorporate Columbus, in Platte county, in the Territory of Nebraska.

Without amendment.

Mr. Bennett offered the following resolution:

Resolved, That the Territorial Auditor be, and he is hereby requested to furnish to the Council, a detailed statement of the books purchased by him under his contract with Leicester Cowles of New York city, embracing a description of the books so purchased, the number procured, to what counties distributed, the cost of the same and the number yet required to supply the different counties under the provisions of the revenue law.

Mr. Bennett moved that the rule be suspended and the resolution read a second time, now.

Which was agreed to, and the resolution was adopted.

Mr. Allen offered the following resolution:

Whereas, The people of the territory experience great inconvenience in consequence of the laws enacted at the last session of the Legislature not being printed and ready for general distribution until about the first of November, 1864, or over eight months after they were enacted, therefore,

Resolved, That the Chief Clerk be instructed to request the Hon. Secretary of the Territory to communicate, in writing, to this Council the causes of such seeming delay, and what arrangements have been made, (if any) for the printing of the laws of the present session; and what time (in his judgment,) will necessarily elapse after the adjournment of this legislature before the laws thereof will be published and ready for general distribution.

Mr. Allen moved that the rule be suspended and the resolution read a second time, now.

Which was agreed to, and the resolution, together with the preamble, was adopted.

Mr. Allen offered the following resolution:

Resolved, That the committee of ways and means be and they are hereby instructed to examine the account of Messrs. Sweesy and King for the transportation of arms and ammunition to the northern frontier, in September, 1862, and if said account is just and proper, to provide in the general appropriation bill for its payment.

Laid over under the rule.

Mr. Holladay gave notice,

Of an act defining the liabilities of common carriers.

Mr. Porter introduced,

Council File No. 26.

Read first time; rules suspended and the bill read a second time and ordered to be printed.

Mr. Bennett introduced,

Council File No. 27—An act designating the time for electing Territorial Auditor and Treasurer.

Read first time; rules suspended and the bill read a second time and committed to the committee on elections.

House File No. 13—An act to provide for the protection of sheep and for destroying wolves and wild cats in Nebraska Territory.

Read first time; rules suspended and the bill read a second time and committed to the committee on agriculture.

House File No. 37—An act to change a portion of the territorial road from Rulo, Richardson county, to Blue Springs, in Gage county, Nebraska Territory.

Read first time; rules suspended and the bill read a second time and committed to the committee on highways.

House File No. 40—An act to locate a territorial road.

Read first time; rules suspended and the bill read a second time and committed to the committee on highways.

House File No. 45—An act supplimentary to an act to incorporate the city of Arago, approved January 10, 1860.

Read first time; rules suspended and the bill read a second time and committed to the committee on corporations.

Council File No. 15—An act to revise and consolidate the several acts relative to the city of Omaha, and for other purposes.

Read first time; passed and title agreed to.

House File No. 10—An act to confirm the elective franchise to citizens residing temporarily on the Iowa and Sac Reservation.

Read third time, and passed.

Mr. Kennedy moved to amend the title by striking out the word "confirm," and inserting instead thereof the word "confer."

Which was agreed to.

And the title, as amended, agreed to.

A message from the House, by Mr. Taffe, their chief clerk:

Mr. President:

I am instructed to inform your honorable body that the House has passed,

House File No. 19—An act to authorize Solomon Gold to erect a mill-dam across the south fork of the Little Nemaha river, in Johnson county.

Also,

House File No. 46—An act to incorporate Allemannen Lodge, No. 8, of I. O. O. F.

Also,

House File No. 48—An act to authorize Christian Newman and August Lambreck to erect a mill-dam across Rock creek, in Cuming county.

And the concurrence of the Council is respectfully requested.

Council File No. 24—An act to incorporate Columbus, in Platte county, in the Territory of Nebraska.

On motion of Mr. Bennett,

Ordered engrossed for a third reading to-morrow.

House File No 48—An act to authorize Christian Newman and August Lambreck to erect a mill-dam across rock creek, in Cuming county.

Read first time; rules suspended and the bill read a second time and committed to the committee on corporations.

House File No. 19—An act to authorize Solomon Gold to erect a mill-dam across the south fork of the Little Nemaha river, in Johnson county.

Read first time; rules suspended and the bill read a second time and committed to the committee on corporations.

House File No. 46—An act to incorporate Allemannen Lodge, No. 8, of I. O. O. F.

Read first time; rules suspended and the bill read a second time and committed to the committee on corporations.

On motion of Mr. Kennedy the Council adjourned until 10 o'clock to morrow morning.

COUNCIL CHAMBER,
Thursday, January 26, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called—Absent Messrs. Bennett, Chapman, Miller and Porter.

Journal read and approved.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 16—An act to regulate the appointment and duties of Receivers.

Council File No. 22—An act to regulate the entry and disposal of town sites.

Correctly engrossed.

Mr. Kennedy, from the committee on the judiciary, reported

House File No. 15—An act to apportion one member of the House of Representatives to Hall, Buffalo and Merrick counties, and to disconnect said counties from Platte county.

Without amendment.

Council File No. 18—An act to authorize and regulate the adoption of children.

With a negative recommendation.

Mr. Allen, from the committee on counties, reported

House File No. 38—An act to attach a portion of Polk county to Platte county,

Without amendment.

The Council proceeded to the second reading and consideration of the resolution offered by Mr. Allen, relative to the claim of Sweesy & King.

The resolution was agreed to.

Mr. Holladay introduced

Council File No. 28—An act defining the liabilities of common carriers.

Read first time; rules suspended and the bill read a second time and committed to a select committee of three, consisting of Messrs. Porter, Allen and Holladay.

Council File No. 29—An act to restrain bulls, bucks and stallions from running at large

Read first time; rules suspended and the bill read a second time and committed to the committee on agriculture.

Council File No. 18—An act to authorize and regulate the adoption of children.

On motion of Mr. Allen the bill was considered in council.

Mr. Allen moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to.

So the bill was indefinitely postponed.

House File No. 15—An act to apportion one member of the House of Representatives to Hall, Buffalo and Merrick counties, and to disconnect said counties from Platte county.

The Council resolved itself into committee of the whole on said bill, Mr. Porter in the chair.

After some time the committee arose, and by their chairman reported the bill without amendment.

Rules suspended and the bill read a third time, passed and title agreed to.

House File No. 38—An act to attach a portion of Polk county to Platte county.

Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman, reported the bill without amendment.

Rules suspended and bill read a third time, passed and title agreed to.

Mr. Chapman moved that

Council File No. 19—An act to incorporate the Masonic and Odd Fellows Hall Company of Plattsmouth, Nebraska,

Be taken from the table.

Which was agreed to.

On motion the bill was considered in Council.

A message from the Governor, by Mr. Knox, his private Secretary.

EXECUTIVE CHAMBER,
Omaha, January 26, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the Governor to inform your honorable body that he has approved and signed,

"Memorial and joint resolutions for the relief of the Nebraska militia."

"An act to amend an act entitled "an act to confirm the title of Thomas Martin and J. N. Coriell to certain real estate in the city of Omaha," approved January 10, 1861.

"An act to locate a territorial road from Plattsmouth city, in Cass county, to intersect the territorial road immediately south of the Salt Basin, and west of Salt creek, in Lancaster county.

R. S. KNOX, *Private Secretary.*

Mr. Kennedy moved that the bill, (C. F. No. 19,) be indefinitely postponed.

Mr. Chapman moved to lay that motion on the table.

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, Blanchard, Chapman, Griffey, Holladay, McCasland and Miller—8.

Nays—Messrs. Albertson, Bennett, Kennedy and Porter—4.

So the motion was laid upon the table.

Mr. Allen moved that the bill be read a third time and put upon its passage, and moved the previous question.

The question being, shall the main question be now put?

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, Blanchard Chapman, Griffey, Holladay, McCasland and Miller—8.

Nays—Messrs. Albertson, Bennett, Kennedy and Porter—4.

So it was decided in the affirmative.

Bill read a third time, and on the question, shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, Blanchard, Chapman, Griffey, Holladay, McCasland, and Miller—8.

Nays—Messrs. Albertson, Bennett, Kennedy, and Porter—4.

So the bill passed.

Title agreed to.

Council File No. 16—An act to regulate the appointment and duties of receivers.

On motion of Mr. Kennedy the bill was re-committed to the committee on the judiciary, for the purpose of an amendment to section 9.

Council File No. 22—An act to regulate the entry and disposal of town sites.

Mr. Allen moved to reconsider the vote by which the bill was ordered to be engrossed for a third reading.

Which was agreed to.

Council resolved itself into committee of the whole on said bill, Mr. Porter in the chair.

After some time the committee arose, and by their chairman, reported the bill without amendment, and recommended that the further consideration of the bill be indefinitely postponed.

Report adopted, and the bill indefinitely postponed.

Mr. Bennett, from the select committee on that subject, on leave, reported

Council File No. 23—An act to provide for the funding of the warrants of Otoe county.

Without amendment.

On motion of Mr. Bennett the rules were suspended, and the Council proceeded to consider said bill.

Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose and by their chairman reported the bill, with certain amendments.

Report adopted, and the bill as amended, ordered engrossed for a third reading to-morrow.

Mr. Allen, on leave given, offered the following resolution, which was twice read, considered and adopted:

Resolved, That the chairman of the committee on the judiciary be instructed to consider the propriety of amending section eleven of an act entitled "an act to regulate the entry and disposal of town sites," and report to this Council by bill, or otherwise, without unnecessary delay.

On motion of Mr. Griffey, the Council adjourned until 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Friday, January 27, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Chapman, from the committee on corporations, reported

Council File No. 20—An act to authorize Charles G. Laing to keep a ferry across the Platte river in the counties of Sarpy and Cass, Nebraska Territory.

House File No. 4—An act to authorize Hugh Coat, Thomas Coat and George Homewood to erect and keep a mill-dam across the Little Nemaha river.

House File No. 12—An act to authorize Z. James Parsons and his associates and assigns, to keep a ferry across the Missouri river at Rulo, Richardson county, N. T.

House File No. 14—An act granting to Christopher Maloney a ferry charter across the Missouri river.

House File No. 19—An act to authorize Solomon Gold to erect a mill-dam across the south fork of the Little Nemaha river, in Johnson county.

House File No. 29—An act to authorize Samuel Walsh and M. J. Shields, their associates and assigns, to erect and keep a ferry across the Elkhorn river.

House File No. 45—An act supplementary to an act to incorporate the city of Arago, approved January 10, 1860.

House File No. 46—An act to incorporate Allemannen Lodge, No. 8, of I. O. O. F.

House File No. 48—An act to authorize Christian Newman and August Lambreck to erect a mill dam across Rock creek, in Cuming county.

Without recommendation.

Mr. Chapman, from the committee on elections, reported

Council File No. 27—An act designating the time for electing Territorial Auditor and Treasurer.

Without amendment.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 13—An act to amend the code of civil procedure, and relative to the competency of witnesses.

Council File No 23—An act to provide for the funding of the warrants of Otoe county.

Correctly engrossed.

Mr. Kennedy, from the committee on the judiciary, reported

Council File No. 16—An act to regulate the appointment and duties of receivers.

With an amendment.

Mr. Blanchard, from the committee on highways, reported

House File No. 37—An act to change a portion of the territorial road from Rulo, Richardson County, to Blue Springs, in Gage county, Nebraska Territory.

House File No. 40—An act to locate a territorial road.

Without amendment.

Mr. Bennett introduced

Council File No. 30—An act to revise and amend an act providing for the better regulation of schools in Nebraska.

Read first time; rules suspended and the bill read a second time and ordered to be printed.

Mr. Holladay introduced

Council File No. 31—An act to vacate the street and allies in the city of Brownville which are upon the Walnut Grove Cemetery, and to dedicate blocks 58 and 59 as a burial ground.

Read first time; rules suspended and the bill read a second time and committed to a select committee of two, consisting of Messrs. Holladay and Miller.

Council File No. 26—An act to provide for the leasing of school lands in the Territory of Nebraska.

Committed to the committee on education.

Council File No. 16—An act to regulate the appointment and duties of receivers.

The amendment of the committee on the judiciary was adopted, and the bill ordered engrossed for a third reading to-morrow.

House File No. 29—An act to authorize Samuel Walsh and M. J. Shields, their associates and assigns, to erect and keep a ferry across the Elkhorn river.

On motion of Mr. Kennedy the bill was considered in council.

Mr. Kennedy moved that the bill do lie upon the table,

Which was agreed to.

House File No. 19—An act to authorize Solomon Gold to erect a mill-dam across the south fork of the Little Nemaha river, in Johnson county.

On motion of Mr. Kennedy the bill was considered in council.

Mr. Porter moved that the further consideration of the bill be postponed until the fourth of July next.

Mr. Allen moved to lay that motion upon the table.

Which latter motion was not agreed to.

The question recurring on the motion of Mr. Porter,

Upon a division, the Council being equally divided, the President voted in the affirmative.

So the further consideration of the bill was postponed until the fourth of July next.

House File No. 14—An act granting to Christopher Maloney a ferry charter across the Missouri river.

On motion of Mr. Holladay the bill was considered in council.

Mr. Holladay moved that the further consideration of the bill be indefinitely postponed.

Mr. Blanchard moved to lay that motion on the table.

Which was not agreed to.

The question recurring on the motion of Mr. Holladay,

It was agreed to, and the bill indefinitely postponed.

House File No. 12—An act to authorize Z. James Parsons, his associates and assigns, to keep a ferry across the Missouri river at Rulo, Richardson county, N. T.

On motion of Mr. Kennedy the bill was considered in council.

Mr. Bennett moved that the further consideration of the bill be indefinitely postponed.

Mr. Allen moved to lay that motion on the table.

Which was not agreed to.

The question recurring on the motion of Mr. Bennett,

Upon a division, the Council being equally divided, the President voted in the affirmative.

So the bill was indefinitely postponed.

House File No. 4—An act to authorize Hugh Coat, Thomas Coat and George Homewood to erect and keep a mill-dam across the Little Nemaha river.

On Motion of Mr. McCasland the bill was considered in council.

Mr. Griffey moved that the further consideration of the bill be indefinitely postponed.

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bennett, Griffey, Kennedy, Miller and Porter—6.

Nays—Messrs. Allen, Bayne, Blanchard, Chapman, Holladay and McCasland—6.

The President voting in the affirmative.

The bill was indefinitely postponed.

A messages from the house, by Mr. Taffe, their chief clerk.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August 11, 1864, with amendments thereto attached.

Also,

House File No. 70—An act to disqualify certain persons from holding office in the Territory of Nebraska,

And the concurrence of the Council is respectfully requested.

House File No. 48—An act to authorize Christian Newman and August Lambreck to erect a mill-dam across Rock creek, in Cuming county.

On motion of Mr. Kennedy the bill was considered in council.

Mr. Holladay moved that the further consideration of the bill be indefinitely postponed.

Mr. Allen moved to lay that motion on the table.

Which was not agreed to.

The question recurring on the motion of Mr.Holladay,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bennett, Griffey, Holladay, Kennedy, Miller and Porter—7.

Nays—Messrs. Allen, Bayne, Blanchard Chapman and McCasland—5.

So the bill was indefinitely postponed.

Council File No. 20—An act to authorize Charles G. Laing to keep a ferry across the Platte river, in the counties of Sarpy and Cass, Nebraska Territory.

On motion of Mr. Kennedy the was bill considered in council.

Mr. Chapman moved that the bill do lie upon the table.

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, Blanchard, Chapman, Holladay and McCasland—6.

Nays—Messrs. Albertson, Bennett, Griffey, Kennedy, Miller and Porter—6

The President voting in the negative.

It was not agreed to.

Mr. Porter moved that the further consideration of the bill be indefinitely postponed.

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bennett, Chapman, Griffey, Holladay, Kennedy, Miller and Porter—8.

Nays—Messrs. Allen, Bayne, Blanchard and McCasland—4.

So the bill was indefinitely postpomed.

Council File No. 27—An act designating the time for electing Territorial Auditor and Treasurer.

Mr. Chapman moved to amend by striking out the word "bi-annually," in the second section, and inserting instead thereof the word "bi-ennially."

Which was agreed to.

Ordered that the bill be engrossed for a third reading to-morrow.

House File No. 46—An act to incorporate Allemannen Lodge, No. 8, of I. O. O. F.

On motion of Mr. Griffey the bill was considered in council.

Mr. Chapman moved that the rules be suspended and the bill read a third time, now, and put upon its passage.

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Blanchard, Chapman, Griffey, Holladay McCasland and Miller—9.

Nays—Messrs. Bennett, Kennedy, and Porter—3.

So it was agreed to.

Bill read a third time, and on the question,

Shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Blanchard, Chapman, Griffey, Holladay McCasland and Miller—9.

Nays—Messrs. Bennett, Kennedy, Porter and Mr. President—4.

So the bill was passed.

Title agreed to.

House File No. 37—An act to change a portion of the territorial road from Rulo, Richardson county, to Blue Springs, in Gage county, Nebraska Territory.

On motion of Mr. Holladay the bill was considered in council.

Mr. Holladay moved that the rules be suspended and the bill read a third time, now, and put upon its passage.

Which was agreed to.

Read third time, passed and title agreed to.

House File No. 40—An act to locate a territorial road.

Mr. Holladay moved that the rules be suspended and the bill read a third time, now, and put upon its passage.

Which was agreed to.

Read third time, passed, and title agreed to.

House File No. 45—An act supplementary to an act to incorporate the city of Arago.

On motion of Mr. McCasland the bill was considered in council.

Mr. Porter moved that the bill be read by sections.

Which was agreed to.

Mr. Chapman moved that the rules be suspended and the bill read a third time, now, and put upon its passage.

Which was agreed to.

Read third time, passed and title agreed to.

Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August 11, A. D., 1864.

The several amendments of the House to said bill were considered and agreed to.

Council File No. 23—An act to provide for the funding of the warrants of Otoe county.

Read third time, passed and title agreed to.

Council File No. 13—An act to amend the code of civil procedure, and relative to the competency of witnesses.

Read third time, passed and title agreed to.

The following communication was received from the Secretary of the Territory, read and laid upon the table.

SECRETARY'S OFFICE,
Omaha, Nebraska, Jan. 27, 1865.

To the Honorable, the Council of the Legislative Assembly:

GENTLEMEN:—In compliance with the request conveyed by the resolution of your honorable body, this day communicated to me, I have the honor to inform you that the statement in the preamble of your resolution, that none of the laws of the last session were received until the first of November, or about eight months after the adjournment thereof, is incorrect. Five hundred copies were received and distributed by this office before the 10th day of June. The county clerks of all the counties were duly notified by a circular issued from this office in April that the laws were expected in May. All were requested to send in their requisitions immediately, and all requisitions received in answer to this notification prior to the 10th day of June, were promptly filled. All the counties were thus supplied during the month. It was thought that five hundred copies would be a sufficient number for county distribution, but all requisitions were much larger than for any preceding year, and the first installment became exhausted before all could be supplied.

Had all the county clerks promptly sent their requisitions they would have been received before the distribution commenced, and the laws would have been distributed *pro rata*, and every county would have been quite liberally supplied. An unexpected and unavoidable delay occurred in the distribution to about seven counties whose requisitions were not received until after the date before mentioned, for which this office was in no way responsible.

I transmit herewith a communication from Messrs. Taylor & McClure, public Printers, relative to that delay, and naming the date at which the laws and journals of the present session may be reasonably expected to be ready for distribution.

I am, gentlemen, very respectfully, your obedient servant,

A. S. PADDOCK, *Secretary.*

REPUBLICAN OFFICE,
Omaha, January 26, 1865.

HON. A. S. PADDOCK,
Secretary of Nebraska Territory—Sir:

In reply to your letter of this date, covering certain interrogatories propounded by the Legislative Council, relative to the delay in the distribution of the laws and journals for the 9th session of the Territorial Legislature, we respectfully submit the following statement:

Certified copies of all the laws passed at the session of 1864 were furnished to us, as public printers, by the Secretary, on the second day after the adjournment of the Legislature. They were promptly put in type, and five hundred copies delivered at your office in this city early in the month of June. The binding of the remaining one thousand copies was unavoidably delayed for a period of nearly three months by the call for the "one hundred day" men furnished by the state of Ohio to the government of the United States.

The binding was done in the city of Cincinnati, and when the State of Ohio was called upon to furnish the men in question, it happened that nearly the entire effective force of the extensive bindery where the work was being done was withdrawn from the establishment, and the delay spoken of was the result.

The journals, which were also promptly printed, were delayed in their delivery, from the same cause.

It is proposed to print and bind the laws and journals of the present Legislature at the Republican office, in this city, and we expect confidently to be able to furnish them for distribution early in the month of June.

Very respectfully, your obedient servants,

TAYLOR & MCCLURE,
Public Printers.

House File No. 70—An act to disqualify certain persons from holding office in the territory of Nebraska.

On motion of Mr. Porter the bill was considered in council.

Mr. Holladay moved that the rules be suspended and the bill read a second time, now,

Which was agreed to.

Bill read second time, and committed to the committee on the judiciary.

On motion of Mr. Chapman, leave of absence was granted to Mr. Blanchard until Monday morning at 10 o'clock.

On motion of Mr. Holladay the Council adjourned until 10 o'clock to-morrow morning.

COUNCIL CHAMBER,
Saturday, January 28, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

The President presented the petition of James Johnson, and twenty-nine others, citizens of Seward and Saline counties praying for a change in the territorial road, commencing on the bridge on Big Blue, along the line between said counties, to the south-west corner of section 32, thence to the center of section 31.

Referred to the committee on highways.

Mr. Bennett, from the committee on agriculture, reported

House File No. 35—An act to amend the herd law of Cuming city precinct, Washington county, Nebraska.

House File No. 13—An act to provide for the protection of sheep, and for destroying wolves and wild cats in Nebraska Territory.

Without amendment.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 16—An act to regulate the appointment and duties of receivers.

Council File No. 27—An act designating the time for electing Territorial Auditor and Treasurer.

Council File No. 24—An act to incorporate Columbus, in Platte county, in the Territory of Nebraska.

Correctly engrossed.

Mr. Kennedy, from the committee on the judiciary, reported

House File No. 70—An act to disqualify certain persons from holding office in the Territory of Nebraska.

Without amendment.

Mr. Kennedy, from the same committee, reported, by bill,

Council File No. 33—An act to amend an act entitled "an act to regulate the entry and disposal of town sites," approved November 4, 1858.

Mr. Griffey introduced

Council File No. 32—An act to create county assessors in certain counties.

Read first time; rules suspended and the bill read a second time, and committed to the committee on the judiciary.

Council File No. 33—An act to amend an act entitled "an act to regulate the entry and disposal of town sites," approved November 4, 1858.

Read first time; rules suspended and bill read a second time.

House File No. 70—An act to disqualify certain persons from holding office in the Territory of Nebraska.

On motion of Mr. Kennedy the bill was considered in council.

Mr. Kennedy moved that the rules be suspended and the bill read a third time, now.

Which was agreed to.

Read third time, bill passed and title agreed to.

House File No. 35—An act to amend the herd law of Cuming City precinct, Washington county, Nebraska.

On motion of Mr. Allen the bill was considered in council.

Mr. Allen moved that the rules be suspended and the bill read a third time, now.

Which was agreed to.

Read third time, passed and title agreed to.

House File No. 13—An act to provide for the protection of sheep, and for destroying wolves and wild cats in Nebraska Territory.

On Motion of Mr. Kennedy the bill was considered in council.

Mr. Allen moved to amend section 1, by striking out the words "one dollar and fifty cents," and inserting instead the words "seventy five cents," and also by striking out the words "two dollars," and inserting instead the words "one dollar."

Which was agreed to.

The section as amended was adopted.

Mr. Allen moved to strike out all after the word "killed" in the third section.

A message from the House, by Mr. Taffe, their chief clerk.

Mr. President:

I am instructed to inform your honorable body that the House has passed

House File No. 22—An act to provide for the protection of crops, and the destruction of black-birds, crows and gophers in the counties of Cedar, Dixon and Dakota, in the Territory of Nebraska.

House File No. 43—An act to authorize Mary Barothy to erect and keep a mill dam across the Great Pappilion, in Douglas county.

House File No. 50—An act to legalize the actions of Jacob Beyer, George Holleriesh and Jacob Schen, as trustees of the general German colinization society.

House File No. 62—An act to continue the organization of L'Eau qui Court county.

House File No. 64—An act supplementary to an act to incorporate the city of Rulo, Richardson county, Nebraska Territory, approved January 11, 1861.

House File No. 68—An act to repeal a certain provision of an act entitled "an act to incorporate the South Nebraska Railroad Company."

And the concurrence of the Council is respectfully requested.

Also, that the House has passed

Council File No. 21—An act to legalize the assessment and levy of taxes in Washington and Dakota counties, N. T., without amendment.

And has concurred in the amendments made by the Council to House File No. 10, an act to confirm the elective franchise to citizens residing temporarily on the Iowa and Sac reservation.

Also, that the House has indefinitely postponed the further consideration of

Council File No. 17—An act to repeal an act entitled "an act to consolidate certain actions in the district courts."

Mr. Chapman moved to lay the motion of Mr. Allen upon the table.

Which latter motion was agreed to.

Mr. Griffey moved to reconsider the vote by which the first section was adopted.

Mr. Chapman moved to lay that motion on the table.

Which latter motion was not agreed to.

The question recurring on the motion to reconsider,

It was agreed to.

Mr. Griffey moved to amend section one, by striking out the words "person or persons," and inserting instead the words "citizen or citizens."

Mr. Chapman moved to lay that motion on the table

Which latter motion was not agreed to.

The question recurring on the motion to amend,

Mr. Chapman moved to re-commit the bill to the committee on agriculture,

Which was agreed to.

And the bill was so re-committed.

Mr. Allen moved that the rules be suspended, and that the Council proceed to the second reading and consideration of

Council File No. 33—An act to amend an act entitled "an act to regulate the entry and disposal of town sites," approved November 4, 1858.

Which was agreed to.

The Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman, reported the bill, with sundry amendments.

The amendments were adopted, and the bill as amended ordered engrossed for a third reading to-morrow.

Council File No. 24—An act to incorporate Columbus, in Platte county, in the Territory of Nebraska.

Read third time, passed and title agreed to.

Council File No. 27—An act designating the time for electing Territorial Auditor and Treasurer.

Read third time, passed and title agreed to.

Council File No. 16—An act to regulate the appointment and duties of receivers.

Read third time, passed and title agreed to.

House File No. 22—An act to provide for the protection of crops, and the destruction of black-birds, crows and gophers in the counties of Cedar, Dixon and Dakota, in the Territory of Nebraska.

Read a first and second time, and committed to the committee on agriculture.

House File No. 43—An act to authorize Mary Barothy to erect and keep a mill-dam across the Great Pappillon, in Douglas county.

Read a first and second time, and committed to the committee on corporations.

House File No. 50—An act to legalize the actions of Jacob Beyer, George Holleriesh and Jacob Schen, as trustees of the general German colonization society.

Read first and second time, and committed to the committee on the judiciary.

House File No. 58—An act to incorporate Platte Lodge, No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska Territory.

Read first and second time, and committed to the committee on corporations.

House File No. 62—An act to continue the organization of L'Eau qui Court county, Nebraska Territory.

Read a first and second time, and committed to the committee on counties.

House File No. 64—An act supplementary to an act to incorporate the city of Rulo, Richardson county, Nebraska Territory.

Read first and second time, and committed to the committee on corporations.

House File No. 68—An to repeal a certain provision of an act entitled "an act to incorporate the South Nebraska Railroad company."

Read first and second time, and committed to the committee on ferries.

Mr. Holladay, from the committee on enrolled bills, reported a bill of the following title, as correctly enrolled.

Council File No. 2—An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August 11, A. D., 1864.

And after having the same signed by the speaker of the House and President of the Council, and endorsed by the Chief Clerk of the Council, presented the same to the Governor for his approval, at half past 11 o'clock this 28th day of January, 1865.

Mr. Holladay moved to adjourn until 10 o'clock to-morrow morning.

Mr. Kennedy moved to adjourn until Monday morning at 10 o'clock.

Mr. Allen made the point of order that the first motion means Monday.

The President overruled the said point of order, the word Saturday not appearing in the motions.

Mr. Miller appealed from the decision of the chair,

And the decision of the chair was sustained.

The question recurring on the motion of Mr. Kennedy,

The Council adjourned until 10 o'clock on Monday morning next.

COUNCIL CHAMBER,
Monday, January 30, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Kennedy, from the committee on the judiciary, reported

House File No. 33—An act to provide for revising the laws of Nebraska.

With a substitute therefor.

Council File No. 32—An act to create county assessors in certain counties.

With sundry amendments.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 33—An act to amend "an act to regulate the entry and disposal of town sites," approved November 4, 1858.

Correctly engrossed.

Mr. Bennett, from the committee on agriculture, reported

House File No. 13—An act to provide for the protection of sheep and for destroying wolves and wild cats in Nebraska Territory.

With amendments.

House File No. 22—An act to provide for the protection of crops, and the destruction of black-birds, crows and gophers in the counties of Cedar, Dixon and Dakota, in the Territory of Nebraska.

Without amendment.

Council File No. 29—An act to restrain bulls, bucks and stallions from running at large.

Without recommendation.

Mr. Miller, from the committee on education, reported

Council File No. 26—An act to provide for the leasing of school lands in the Territory of Nebraska.

Without recommendation.

Mr. Holladay, from the select committee on that subject, reported

Council File No. 31—An act to vacate the street and allies in the city of Brownville which are upon the Walnut Grove Cemetery, and to dedicate blocks 58 and 59 as a burial ground.

Without amendment.

Mr. Porter, from the select committee on that subject, reported

Council File No. 28—An act defining the liabilities of common carriers.

Without recommendation.

Mr. Allen gave notice

Of a bill to legalize the last municipal election of De Soto, and for other purposes.

Council File No. 31—An act to vacate the street and allies in the city of Brownville, which are upon the Walnut Grove Cemetery, and to dedicate blocks 58 and 59 as a burial ground.

On motion of Mr. Holladay the rules were suspended, and the bill read a third time.

Bill passed and title agreed to.

Council File No. 26—An act to provide for the leasing of school lands in the Territory of Nebraska.

Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman reported the bill, with the recommendation that it be re-committed to the committee on the judiciary.

Report adopted, and the bill so referred.

Council File No. 32—An act to create county assessors in certain counties.

On Motion of Mr. Griffey the bill was considered in council.

The amendment reported by committee on the judiciary was adopted.

Ordered that the bill be engrossed.

House File No. 13—An act to provide for the protection of sheep, and for destroying wolves and wild cats in Nebraska Territory.

The Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman reported the bill, with amendments.

The amendments were adopted.

Rules suspended and the bill read a third time, passed and title agreed to.

A message from the Governor, by Mr. Knox, his private secretary:

EXECUTIVE CHAMBER,
January 30, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the Governor to inform your honorable body that he has approved and signed,

An act to provide for the payment of the militia of Nebraska, called into service to repel hostile Indians, by proclamation of the Governor, August 11, 1864.

R. S. KNOX,
Private Secretary.

House File No. 22—An act to provide for the protection of crops, and the destruction of black-birds, crows and gophers in the counties of Cedar, Dixon and Dakota, in the Territory of Nebraska.

Read third time, passed and title agreed to.

House File No. 33—An act to provide for revising the laws of Nebraska.

Council resolved itself into committee of the whole on said bill, Mr. Porter in the chair.

After some time the committee arose, and by their chairman, reported the substitute to said bill, with amendments thereto.

The substitute, as amended, was adopted.

Ordered, That the same be engrossod.

Council File No. 29—An act to restrain bulls, bucks and stallions from running at large.

Mr. Bennett moved that the further consideration of the bill be indefinitely postponed.

Mr. Allen moved to re-commit the bill to the committee on agriculture, with instructions to report definitely thereon.

Which was agreed to, and the bill so referred.

Council File No. 28—An act defining the liabilities of common carriers

Mr. Allen moved to re-commit the bill to the appropriate standing committee.

Which was agreed to, and the bill committed to the committee on the judiciary.

Council File No. 30—An act to revise and amend an act providing for the better regulation of schools in Nebraska.

Mr. Bennett moved to substitute the printed bill for the original,

Which was agreed to.

On motion of Mr. Allen the bill was committed to the committee on education.

House File No. 62—An act to continue the organization of L'Eau qui Court county, N. T.

On motion of Mr. Kennedy the bill was considered in council.

Rules suspended and the bill read a third time.

Bill passed, and title agreed to.

Council File No. 33—An act to amend an act entitled "an act to regulate the entry and disposal of town sites," approved November 4, 1858.

Read third time, passed and title agreed to.

The President presented,

A joint resolution of the State of Kansas.

Which was laid upon the table.

Mr. Allen moved that a committee of two, on the part of the Council, be appointed to confer with a similar committee of the House, in relation to said joint resolution.

Which was agreed to.

Messrs. Allen and Kennedy were appointed said committee.

Mr. Holladay, from the committee on enrolled bills, reported that the committee had examined

Council File No. 21—An act to legalize the assessment and levy of taxes in Washington and Dakota counties, N. T.

And find the same truly enrolled,

And after having the same signed by the Speaker of the House, the President of the Council, and endorsed by the Chief Clerk of the Council, have presented the same to the Governor for his approval at 10 o'clock this 30th day of January, A. D. 1865.

Mr. Porter, from the committee on finance, made the following report:

Mr. President:

Your committee to whom was referred the resolution instructing the committee on finance, ways and means, to examine the account presented by Sweesy & King, have done the same, and find that they performed six days' labor with one two-horse team and one man, and have charged the territory ten dollars per day. In the opinion of your committee, the charge for said service is too high, and we recommend that they be allowed forty dollars for said service, from the territorial treasury. All of which is most respectfully submitted.

Mr. Miller moved to suspend the rules and proceed to consider the report, now,

Which was not agreed to.

On motion of Mr. Holladay, the Council adjourned until 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Tuesday, January 31, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 32—An act to create county assessors in certain counties.

Correctly engrossed.

Mr. Bennett, from the committee on agriculture, made the following report:

The committee on agriculture, to whom was referred

Council File No. 29—An act to restrain bucks, bulls and stallions from running at large,

Having had the same under consideration, beg leave to make the following report:

First.—The provisions of the second section, should it become a law, would inflict a great hardship on those of our citizens who are, or may be, the owners of any of the aforesaid animals.

Second.—The passage of the bill would most assuredly tend to decrease the amount of stock annually raised, and thereby materially retard the wealth and prosperity of the Territory.

For these, and many other cogent reasons, we recommend that it do not pass.

Mr. Blanchard, from the committee on highways, bridges and ferries, reported

House File No. 68—An act to repeal a certain provision of an act entitled "an act to incorporate the South Nebraska Railroad Company."

Without recommendation.

Mr. Chapman, from the committee on elections, submitted the following report:

A majority of your committee on elections, to whom was referred the memorial of Henry T. Clarke, contesting the election of Corrington Blanchard, the sitting member for the council district composed of the counties of Sarpy and Dodge, having considered the same, with the evidence in the case, respectfully submits the following report:

The whole number of votes cast in this district for the office of Councilman was	416
Of which there was returned as given for Corrington Blanchard, the sitting member	210
For Henry T. Clarke, the contestant	204
Majority for sitting member	6

As appears by the returns made by the office of county clerk of the county of Sarpy.

Besides these there were returned to the office of the Secretary of the Territory three votes given by persons in the military service, from Nebraska. These three votes were cast for Corrington Blanchard. The returns showing that but two persons voting for the office of councilman, in the Nebraska companies, claimed a residence in Sarpy or Dodge counties, (of which the district is composed,) we find that the board of territorial canvassers allowed but that number. These, added to the majority given in the district, makes the majority for Blanchard, the sitting member, eight votes.

The contestant seeks to overcome and destroy the apparent majority of the sitting member, upon several distinct grounds, either of which, he insists, if proved, establishes his right to the seat.

Upon these points, and the testimony taken to support them, your committee proceeded to hear and determine the case; the amplest opportunity for the argument of the case and for investigation being allowed to both parties, in person and by counsel.

Your committee have adopted the following order for the consideration of these points:

First—It is insisted that the votes returned for both parties from Forest City precinct, Sarpy county, must be deducted from the whole number of votes returned for them, respectively, in the district, for reason of such irregularities, informalities and clear violations of the statutes of Nebraska, and such errors of substance as to destroy all accuracy as to the result, and to make it impossible, under the law, to give any legal effect to the ballots purporting to have been cast in said precinct.

Your committee have carefully considered the evidence on this branch of the case, and it is very apparent that in no precinct in the entire district were the provisions of the election law strictly regarded. It seemed to be conceded by both parties, in the argument before the committee, however, that omissions and irregularities, which relate to the form of procedure alone, and not to the substance, do not furnish ground for rejecting a poll. The authorities that we have been able to examine, also seem to confirm this view.

The difficulty remained, however, to determine what palpable violations of law shall be regarded as relating to form, and what to substance, or in other words, what are directory and what mandatory.

In the case of Cooper, whose seat was contested by Campbell, in the 36th Congress, it was proven, 1st, That two different ballots were put in the same box; 2d, That no sufficient poll lists were kept and locked up in the box; 3d, That the box containing the votes was not sealed as the law requires; and 4th, That an unsworn inspector of elections was substituted at 5 o'clock, after the polls were closed. Upon the subject of these illegalities the majority of the committee on elections say that "while they would be very unwilling to reject any poll upon mere technecalities, yet in this case, in the judgment of your committee, the violations of the law were so palpable, and so relate to matter of substance, and produce such uncertainty as to the ballots, that your committee, upon due deliberation, have rejected the poll, and deducted the votes returned for each of the parties in said ward." This view of the case seems to have been adopted by the House in removing Mr. Cooper from his seat held by one vote, thus illegally cast.

It must be admitted that a report made by a majority of a committee, and resisted by a minority of the same committee, embracing many distinct points of discussions, although such report may be adopted by the House, yet such action does not furnish a rule conclusive as to the principle embraced in any one point. In such cases a judicial decision is much more satisfactory.

The only decision to which our attention has been called, where this subject came under review, was the case of "the People vs. Cook, 4th Selden's Rep. 67. The court in that case concludes an able opinion by laying down a rule on this subject in the following language:

"It is probably impracticable to prescribe a rule which will enable us to determine in all cases what irregularities of the inspectors will violate an election. It may be safely affirmed that if the irregularity does not deprive a legal voter of his right to vote, if it casts no uncertainty on the result and has not been occasioned by the agency of a party seeking to derive a benefit from it; it may be overlooked in an action of this kind, when the issue is as to which candidate received the greater number of votes for a particular office at a given election."

The court here affirmed what irregularities will not violate an election, while it does not state what will make an election void. It seems reasonable however, to regard the converse of the rule to be correct, and that if the irregularity complained of is of such a character as that it may deprive a legal voter of his right to vote; if it *does* cast uncertainty on the result, or if it *has* cast uncertainty, or been occasioned by the agency of a party asking to derive a benefit from it, then it would render the election void.

The hypothetical points upon which this dictum is based may not in all respects accord with the case under consideration, but by preserving its spirit and analogy, and by extending them to this case, so far as they are applicable, a correct conclusion may be arrived at.

There were several witnesses called upon this point, and their testimony is quite voluminous, the substance of which we will endeavor to give.

T. D. Look was the first witness examined upon this point. His testimony, in substance, is that his residence was about 130 rods from the place where the election was held; that he left home about 8½ o'clock; that when he arrived on the ground several persons were there congregated; that there was some anxiety manifested to organize, and very soon a board was formed, all of whom were selected by the citizens present, except himself, he claiming to have been elected at a previous election as clerk of election for that precinct, without however having been qualified as such. This board, excepting Cook, were duly sworn by one Fogerty, as justice of the peace.—After this board was thus formed, and while the clerks were preparing the poll-books, others came upon the ground, and among them Wesley Knight and Thomas Conner, who claimed to have been elected judges at some former election, and Martin Langdon, who, it appears in evidence, was a candidate for the office of representative. These insisted that the organization was premature; that Conner and Knight were rightfully judges by virtue of their election. This reasoning prevailed, and the first board was abandoned. The second board consisted of Wesley Knight, Thomas Conner and T. D. Look, as judges and Anthony Thomas and S. B. McClure as clerks. The testimony shows that Knight and Conner had been elected in 1862, but neither of them had ever taken the oath of qualification; and the testimony also shows that Wesley Knight qualified Look, Thomas and McClure, that portion of the board elected on the ground, when he himself was not qualified, and therefore not competent to qualify others. Thus was the *second board* organized, and, as near as can be ascertained, at about 9½ o'clock commenced to receive votes, and continued until about 11 o'clock, at which time 14 votes had been received. It was then discovered that the law requiring votes to be numbered had not been complied with. After some discussion the board resolved to open the box and burn the ballots, which was done.—Some of the board soon after went away some distance to dinner, the ballot-box in the mean time remaining in the custody of no one in particular.

At about half past one o'clock, P. M. the board commenced receiving votes the second time, and from the votes cast after that time the returns from that precinct are made up.

It was also proven by Mr. Watson, deputy county clerk, that the board of county commissioners of Sarpy county had ordered notices to be posted in the several precincts, as the law provided; that he had sent three notices by mail to each of the precincts of Forest City and Plattford, but could not state at what time or to whom they were sent. A copy of the notices so sent is exhibited in the testimony. This notice informs the inhabitants that an election will be held at the usual place of holding elections, instead of indicating some particular house, in accordance with the form of notice given in the statute.

It is proven, also, that since the organization of the precinct the election has been held at different places, but lately it had usually been held in a house standing in the corner of Matt. Shield's yard. It is also proven that at the election in question the first and second boards were both organized in a building adjoining or connected with one occupied by one ————————; that finding it uncomfortable and inconvenient it was removed by the board to the house of Leonard Giles, where the box was opened and the ballots destroyed, and where the election was finally conducted to its close. The proof also shows that at neither of these places had an election ever been held before. The distance from the house where the polls were first opened to the house where they were afterwards held, was shown to be about twenty rods. The distance from Matt. Shield's premises to either of these places is not made to appear.

It is also shown that notice was sought to be given, after the destruction of the ballots in the morning, that those who had heretofore voted should have the privilege of voting again, and that all did vote again except Washington Green and William McDonald, both of whom voted for the contestant.

The election law enacted at the last session contains many provisions merely directory in their character, the observance whereof is enjoined, but a disregard of which would not be fatal to the election. Such, in the opinion of your committee, is that which enjoins the numbering of the ballots. But there are others clearly mandatory, and are enacted for the purpose of extending to every citizen the opportunity for an intelligent exercise of the important functions of voting, and to preserve the ballot-box from fraud, violence, or such mischance as would prevent a full and fair expression of the popular will. A notice might not be important to apprise the voter of the time of holding an election, as this intelligence is furnished by the law; but the notice is the only means of knowing where the polls may be found. The notice sent by the clerk, if it met the eye of the elector, would lead him to the "usual place of holding elections," where no polls were held on the day of election. And if no notice whatever was posted in the precinct, as is probable from the testimony, as all who were interrogated on that subject testify that they saw no notice, then the voter is left to grope his way to the polls, unaided by the light the law provides.

Again; the law gives the elector the whole day, between the hours of 9 o'clock in the morning and 6 o'clock in the evening, within which to deposit his vote. The question also comes under review in the case of the "people vs. Cook," above quoted, where it was held that a few minutes variation either in the time of opening or closing the polls, would not vitiate an election, so that it was done within a *reasonable* time. Within these hours, under the interpretation given in this decision, the elector has a right to attend the polls at any time intervening between the hours of 9 o'clock A. M., and 6 o'clock P. M., and is assured by this decision, as well as by the law itself, that he will find a board of inspectors ready to receive his ballot without delay or detention, either in the morning before repairing to his labor—at the hour of noon, on the way from his field or workshop to his home—or in the evening, after the toil of the day is over. In this instance these privileges were in part denied, as an interval of from two to three hours elapsed during which no polls were open in the precinct. Whether any came and went away in this interval is not made to appear. That many might have done so is apparent. That some voted at the first election who did not at the second is clearly proven.

The following summary of violations of the election law in this case is referred to the Council for its decision, as to whether they should vitiate the election and reject the vote of Forest City precinct.

First—The law requires that the board be sworn *by some person competent to administer oaths.* That two were not sworn at all, and three were sworn by a person not recognised in the law as competent to administer oaths, is in evidence.

Second—*The law requires notice to be given.* This was either wholly neglected, or so imperfectly given as to lead the voter away from the polls instead of to them.

Third—*The ballot box is to remain locked.* Here it was unlocked and *the contents burned.*

Fourth—Two judges shall not be absent *from the place of voting at the same time.* The board was broken up and dispersed for over two hours.

Fifth—*The ballot box shall at no time be removed from the presence of the voters.* For over two hours, in the middle of the day, it was in the custody of no one.

Sixth—*The law gives the elector the whole of nine hours in which to cast his vote.* This privilege was abridged to between four and five hours.

Seventh—*The law provides for but one voting place at one election.* The polls were removed from one place to another to suit the convenience of the board.

Eighth—*The law provides for but one general election on the same day.* Here there were two separate elections held the same day, and legal votes were cast at each that were not cast at both.

With this statement of facts your committee submit the case to the Council for final action, and pass to review the balance of the evidence submitted.

In Bellevue precinct, it appears in evidence, that two double ballots found in the ballot-box were counted for Blanchard. The first clause of section 17 of the election law reads as follows:—"Whenever the judges of election shall find two or more ballots rolled or folded together, they shall reject the whole of such votes as fraudulent." Under the provisions of this section your committee can see no other way of disposing of the matter but to recommend that those two votes be deducted from the votes of Mr. Blanchard.

Your committee also find that two votes were cast for Mr. Blanchard by persons naturalized by the *judge of probate,* to-wit: John Conner and John Ward. The law of Congress, cited by the attorneys in this case, reads as follows:

And whereas, Doubts have arisen whether certain courts of record in some of the States are included within the description of district or circuit courts, *Be it enacted,* That every court of record in any individual State, having common law jurisdiction and a seal and clerk or prothonotary, shall be considered as a district court, within the meaning of this act. And every alien who may have been naturalized in any such court shall enjoy, from and after the passage of this act, the same rights and privileges as if he had been naturalized in a district or circuit court of the United States—Sec. 3, page 155, Vol. 2, Stat. at large.

Under this act your committee have deducted the above two votes from the vote of Mr. Blanchard.

Ex parte Craig; 2 Cart. C. C. 98, says, "a court of record without any clerk or prothonotary or other recording officer, distinct from the judge, is not competent to receive an alien's preliminary declaration."

Your committee also find the following persons, proven to have voted for Henry T. Clarke, of alien birth, and who have declared their intention to become citizens of the United States, in the usual form, and have done no other act towards becoming such, to-wit: John Moser, William Cleburn and Michael Palmtag.

Also, in the same category of those who voted for the sitting member, David Morrison, Richard Evans, Charles W. Key, Barnard Monahon, Anthony Thomas, William Spedie, Thomas Conner, Dennis Larkin, James Baglie, Jr., John Thomas Rose, James Key, Edmund J. Powers, James Osborne, John Huff and James Bagley, Sr.—15.

The contestant claims that these votes should not be counted for contestant and contestee respectively; claiming their impeachment on the ground that the oath to support the constitution of the United States, and the organic law of this territory was not coupled with their declaration of intention. The provision of the organic act referred to is in the following words: "Sec. 23. *And be it further enacted*, That every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of the territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election, and shall be eligible to any office within the said territory; but the qualifications of voters, and of holding office at all subsequent elections, shall be such as shall be prescribed by the legislative assembly, *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared, on oath, their intention to become such, and shall have taken an oath to support the constitution of the United States and the provisions of this act."

The sitting member resists this conclusion, with substantially the following argument: It is true that to entitle a person, not a citizen, to vote or to hold office, he must have declared his intention, on oath, to become such, and sworn to support the constitution of the United States and the provisions of the organic act; but that it is not necessary that the latter oath should be coupled with the declaration; that many of these sought to be impeached may have held office in the territory, and in their oath of qualification must have taken this oath; that it was necessary for the contestant to show affirmatively, everything necessary to impeach a vote; and that as it was not proven that these voters had not taken this oath, the presumption was that they had taken it, and hence that these votes must be allowed to the sitting member. In the contest between Flemming and Dundy, for a seat in the legislature of this territory, it was maintained in argument that a vote was impeached when it was shown that the person who cast it was alien born, and that the burthen of proof was upon the party interested in supporting its validity, to show that the conditions necessary to its legality had been complied with, and authority is cited to sustain this doctrine. It was upon the well recognized principle that a party is not required to prove a negative, and that a person in whose possession the necessary proofs or documents are supposed to exist, shall be required to exhibit them whenever they are questioned.

To whatever weight this argument may be entitled, there is another view of the subject equally worthy of consideration. This provision is found in immediate connection with the subject of naturalization. It applies only to persons who are alien, and not native born. It is so conjoined with the provisions on the subject of a declaration of intention as to show that it was intended to be a continuation of the same subject, and part and parcel of one and the same transaction. If a person should claim the right to vote upon a full naturalization, and should his final papers lack the neccessary oath to support the constitution of the United States, it would hardly be deemed sufficient to leave us to infer, or even to show affirmatively that this necessary oath was taken in some other and totally different transaction. A party holding different offices from year to year is required to embrace this provision in each and every oath of qualification. It would hardly be regarded sufficient for an individual who last year was elected and qualified as a justice of the peace, and this year as member of the Council, to swear simply that he would well and truly discharge the duties of the office of Councilman, leaving his obedience of the constitution and the *organic law* to rest upon the oath of qualification of justice of the peace of last year.

There is still another view of this subject, and perhaps more conclusive than those already considered. As a general rule throughout the United States the right to vote and hold office is conferred only upon native born or naturalized citizens. This rule has been modified in some of the western States so that this privilege is enjoyed by such as have merely declared their intentions. Grave questions of propriety, and even constitutionality, have been raised among the older states in regard to this privilege. It is argued that in his declaration of intention the alien has not divested himself of his former allegiance, nor as yet made himself a subject of our government, and that it is both unwise and unsafe to couple this important function with any relation below full citizenship. It is claimed, moreover, that these States where the rule is tolerated exercise an undue predominance over those where it is not tolerated.

This, among many other questions of great importance, was compromised in the Kansas-Nebraska act. A foreigner can declare his intention when he first sets his foot upon our shore, but he has to remain at least five years before he can attain full citizenship. This provision then admits the new comer at once to the most important functions of citizenship in Nebraska, providing he will, when he declares his intention, take substantially the same oath he is required to take at the time he secures his complete naturalization. It will also be recollected by those who are conversant with the history of the period when this act was passed, that it met with a very determined opposition in all of its stages of progress through Congress, and even after it became a law; that a spirit of uncompromising hostility to it was manifested in many portions of the United States. It was therefore for the purpose of securing obedience to this act that an oath of fealty to it was required to be connected with the most important of all the rights conferred upon the citizen.

Your committee refer this question back to the Council with the foregoing statement of facts and pleadings for a decision, and proceed to make a statement of the case as it now stands, deducting those votes clearly impeached in the judgment of your committee, which are as follows, to-wit:

Sylvester Remalie, minor	1
William E. Wright, “	1
Andrew Weeth, alien	1
Peter Forbes, non-resident	1
Total illegal votes for Clarke	4

Which deducted from total for Clarke, being 204 votes, leaves 200.

Of the votes clearly impeached, in the judgment of your committee, and who voted for Mr. Blanchard, the sitting member, there were,

B. Henry Ashmore, alien	1
Thomas Dyson, minor	1
John D. Daily “	1
Robert Mosoript, alien	1
Edward T. Huff, alien	1
William E. Nelson, non-resident	1
H. C. Morgan, “	1
J. L. Stephens, “	1
John Dailey, “	1
Jordon Langstaff, “	1
O. D. Keeler, “	1
J. S. Keeler, “	1
	12
Add two double ballots counted to contestant in Bellevue precinct	2
Also of those naturalized by judge of probate, John Conner and John Ward	2
Being total illegal votes counted for Blanchard	16
Deduct these from total vote for Blanchard, being 212 votes, it leaves of legal votes for Blanchard	196

Leaving a majority for Clarke, the contestant, of 4 votes.

Therefore,

Resolved, first—That Corrington Blanchard is not entitled to a seat in this Council, as a member from the district composed of the counties of Sarpy and Dodge, in the 10th regular session of the Nebraska Legislature.

Resolved, second—That Henry T. Clarke is entitled to a seat in this Council from the district composed of the counties of Sarpy and Dodge, in the 10th regular session of the Legislature of Nebraska.

J. W. CHAPMAN,
J. N. McCASLAND.

Mr. Bayne, from the committee on military affairs, reported

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

With amendments.

Mr. Griffey, on leave, introduced

Council File No. 34—An act supplemental to an act to incorporate the city of Dakota, approved November 24, 1858.

Read twice, and committed to the committee on the judiciary.

Council File No. 29—An act to restrain bulls, bucks and stallions from running at large.

On motion of Mr. Holladay the bill was considered in Council.

Mr. Porter moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to, and the bill indefinitely postponed.

House File No. 68—An act to repeal a certain provision of an act entitled "an act to incorporate the South Nebraska Railroad Company."

Council resolved itself into committe of the whole on said bill, Mr. Holladay in the chair.

After some time the committee arose, and by their chairman reported the bill, with an amendment, striking out all of the bill after the enacting clause.

Mr. Allen moved to postpone indefinitely the further consideration of the bill, together with the report.

Which was agreed to; so the bill was indefinitely postponed.

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

The Council resolved itself into committee of the whole on said bill, Mr. Chapman in the chair.

After some time the committee arose, and by their chairman, reported the bill, with amendments.

The amendments were adopted and the bill committed to a select committee, consisting of Messrs. Griffey, Porter and Kennedy.

A message from the House, by Mr. Taffe, their chief clerk:

HOUSE OF REPRESENTATIVES,
January 30, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has appointed Messrs. Brown, Maxwell and Johnson a committee on the part of the House, to act with a like committee on the part of the Council, to take into consideration and report upon preamble and resolutions in relation to Indian difficulties, received from the Legislature of the State of Kansas.

Also,

That the House has concurred in the amendments of the Council to

House File No. 13—An act to provide for the protection of sheep, and for destroying wolves and wild cats in Nebraska Territory.

Council File No. 32—An act to create county assessors in certain counties.

Read third time and passed.

Mr. Kennedy moved to amend the title to read as follows:
An act to authorize the election of county assessors in certain counties.
Which was agreed to,
And the title, as amended, was agreed to.

Mr. Kennedy moved to adjourn,
Which was not agreed to.

Mr. Chapman moved that the Council proceed to the consideration of the report of the committee on elections on the memorial of Henry T. Clarke, contesting the election of Mr. Blanchard.
Objection being made,
Hr. Holladay moved that the rule be suspended for that purpose.
The Council refused to suspend the rule.

On motion of Mr. Kennedy the Council adjourned until 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Wednesday, February 1, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Allen presented the remonstrance of citizens of Fort Calhoun, Washington county, against the passage of a general herd law.
Also,
Two remonstrances of citizens of Arizonia, Burt county, against the passage of a herd law, so far as that county is concerned.
Which were referred to the committee on agriculture.

Mr. Holladay, from the committee on engrossed bills, reported
House File No. 33—An act to revise the laws of Nebraska.
Correctly engrossed.

Mr. Kennedy, from the committee on the judiciary, reported
Council File No. 34—An act supplemental to an act to incorporate the city of Dakota, approved November 21, 1858.
Without amendment.

Mr. Kennedy, from the same committee, also submitted a report, in writing, on

Council File No. 26—An act to provide for the leasing of school lands in the Territory of Nebraska, as follows:

Mr. President:

Your committee to whom was re committed Council File No. 26—An act to provide for the leasing of school lands in the territory of Nebraska—having had the same under consideration, have instructed me to report said bill to the Council with the recommendation that its further consideration be indefinitely postponed.

With the indulgence of the Council your committee ask leave to make the following statement:

In the opinion of your committee the terms employed in section sixteen of the organic law are not sufficient to constitute such a grant of section sixteen and thirty-six as to authorize the legislative assembly of the territory to take control of such lands. The object and purpose of the general government being merely to reserve sections sixteen and thirty-six from the public sales of the surveyed lands when they came into market. This reservation was made for a specific ulterior purpose, to-wit: "for the purpose of being applied to schools in said territory," when the government of the United States should finally dispose of those lands for that purpose, either to the territory or the future State that may be erected out of the territory.

This view of the case is still more apparent to the minds of your committee from the fact that the general government has usually provided in the enabling act for erecting new States by specific grants for the final disposal of sections sixteen and thirty-six to school purposes. Such was not only the case with regard to such lands in Minnesota and Oregon, but in the recent enabling act for this territory.

Your committee admit the apparent necessity for protecting these lands from waste, as well as the expediency of applying the rental thereof to the immediate use of the public schools, and therefore suggest that the general government be solicited either to authorize the legislative assembly to take control of them for such purposes, or establish more effectual means for their protection.

All of which is respectfully submitted.

B. E. B. KENNEDY,
E. A. ALLEN,
THOS. L. GRIFFEY.

Mr. Chapman, from the committee on corporations, reported

House File No. 58—An act to incorporate Platte Lodge, No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska Territory.

House File No. 43—An act to authorize Mary Barothy to erect and keep a mill-dam across the Great Pappillon, in Douglas county.

Without recommendation.

House File No. 64—An act supplementary to an act to incorporate the city of Rulo, Richardson county, Nebraska Territory, approved January 11, 1861.

With the recommendation that it be carefully considered in committee of the whole.

Resolutions being now in order, the Council proceeded to the second reading and consideration of the resolutions reported by the committee on elections, relative to the contested seat of Corrington Blanchard.

Mr. Allen moved to lay the resolutions, together with the report, upon the table.

A message from the House, by Mr. Taffe, their chief clerk.

HOUSE OF REPRESENTATIVES,
January 31, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

Council File 31—An act to vacate the streets and alleys in the city of Brownville which are upon the Walnut Grove Cemetery, and to dedicate blocks 58 and 59 as a burial ground.

Without amendment.

House File No. 52—An act to provide for the levying and collecting taxes on hogs.

House File No. 55—An act to locate a territorial road from Wyoming, in Otoe county, to Lancaster, Lancaster county, Nebraska Territory.

House File No. 90—An act to incorporate Rock Bluff Lodge No. 6, of the Independent Order of Odd Fellows.

House File No. 92—An act to repeal an act to restrain swine from running at large within the limits of Richardson county, N. T., so far as same relates to the tract of land known as the half-breed tract.

House File No. 97—Joint resolution of thanks to companies "A," "B" and "C," of the second brigade, and company "A," first brigade Nebraska militia, for gallant services on the frontier.

And the concurrence of the Council is respectfully requested.

Pending which motion of Mr. Allen,

On motion of Mr. Chapman, the Council, by unanimous consent, procedeed to the consideration of

House File No. 97—Joint resolution of thanks to companies "A," "B" and "C," of the second brigade, and company "A," first Brigade, Nebraska militia, for gallant services on the frontier.

Mr. Holiaday moved that the rules be suspended and the bill read three times, and be put upon its passage.

Which was unanimously agreed to.

The bill was so read, passed and title agreed to.

A message from the Governor, by Mr. Knox, his private secretary:

EXECUTIVE CHAMBER,
January 30, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the Governor to inform your honorable body that he has approved and signed,

"An act to legalize the assessment and levy of taxes in Washington and Dakota counties, N. T."

R. S. KNOX,
Private Secretary.

The Council resumed the consideration of the resolutions of the committee on elections.

Mr. Chapman moved that the motion of Mr Allen be laid upon the table.

Upon which motion the yeas and nays were demanded.

Yeas—Messrs. Bayne, Chapman Holladay, McCasland and Miller—5.

Nays—Messrs. Albertson, Allen, Bennett, Blanchard Griffey, Kennedy and Porter—7.

So it was not agreed to.

The question recurring on the motion of Mr. Allen, to lay upon the table the resolutions, together with the report,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Griffey, Kennedy and and Porter—7.

Nays—Messrs. Chapman, Holladay McCasland and Miller—4.

So the resolutions, together with the report, were laid upon the table.

By unanimous consent,

Ordered, That the chief clerk shall permit any member of the Council to take the said report and accompanying testimony for the purpose of examination, to be returned and produced at any moment when required.

Mr. Allen, on leave, introduced

Council File No. 35—An act relative to real property.

Mr. Allen moved that the rules be suspended and the bill read a second time and ordered to be printed.

A division of the question being demanded,

Ordered, That the bill be read a second time, now.

Being so read, the question recurred upon the second division of the question, that it be printed,

Which was not agreed to.

On motion of Mr. Porter the bill was committed to the committee on the judiciary.

Mr. Allen introduced

Council File No. 36—An act to legalize the election of municipal officers of De Soto for the year 1864, and for other purposes.

Read twice and committed to the committee on the judiciary.

Mr. Blanchard introduced

Council File No. 37—An act to vacate the town site of Plattford, in Sarpy county, Nebraska.

Read twice, and committed to the committee on corporations.

Mr. Porter, on leave, introduced

Council File No. 38—An act to incorporate the Nebraska City Petroleum and Coal Mining Company.

Read twice, and committed to the committee on corporations.

House File No. 52—An act to provide for the levying and collecting taxes on dogs.

Read twice, and committed to the committee on finance.

House File No. 55—An act to locate a territorial road from Wyoming, in Otoe county, to Lancaster, in Lancaster county, Nebraska territory.

Twice read, and committed to the committee on highways.

House File No. 90—An act to incorporate Rock Bluff Lodge, No. 6, of the Independent Order of Odd Fellows.

Twice read, and committed to the committee on corporations.

House File No. 92—An act to repeal an act to restrain swine from running at large within the limits of Richardson county, N. T., so far as the same relates to the tract of land known as the half-breed tract.

Twice read, and committed to the committee on agriculture.

House File No. 58—An act to incorporate Platte Lodge, No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska Territory.

On motion of Mr. Chapman the bill was considered in council.

Mr. Kennedy moved that the further consideration of the bill be indefinitely postponed.

Mr. Miller moved to lay that motion on the table.

The yeas and nays were demanded.

Yeas—Messrs. Allen,Chapman, Holladay McCasland and Miller—5.

Nays—Messrs. Albertson, Bayne, Bennett, Blanchard, Griffey, Kennedy, and Porter—7.

So it was not agreed to.

The question recurring on the motion to indefinitely postpone,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bayne, Bennett, Blanchard, and Kennedy—5.

Nays—Messrs. Allen, Chapman, Griffey, Holladay, McCasland Miller and Porter—7.

So it was not agreed to.

Mr. Chapman moved that the bill be read a third time, now, and put upon its passage.

The yeas and nays were demanded.

Yeas—Messrs. Allen, Chapman, Griffey, Holladay, McCasland and Miller—6.

Nays—Messrs. Albertson, Bayne, Bennett, Blanchard Kennedy, and Porter—6.

The President voting in the affirmative,

It was agreed to.

Bill read a third time, and on the question,

Shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Allen, Chapman, Griffey, Holladay McCasland and Miller—6.

Nays—Messrs. Albertson, Bayne, Bennett, Blanchard, Kennedy, and Porter—6.

The President voting in the negative.

The Council refused to pass the bill.

Council File No. 26—An act to provide for the leasing of school lands in the Territory of Nebraska.

Mr. Griffey moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to, and the bill indefinitely postponed.

Council File No. 34—An act supplemental to an act to incorporate the city of Dakota, approved November 21, 1858.

Mr. Kennedy moved that the bill be read a third time, and put upon its passage.

Which was agreed to.

Read third time, passed, and title agreed to.

House File No. 43—An act to authorize Mary Barothy to erect and keep a mill-dam across the Great Pappillon, in Douglas county.

Mr. Holladay moved that the bill be read a third time, and put upon its passage.

Mr. Allen moved to lay that motion upon the table.

Which was agreed to.

Mr. Allen moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to, and the bill indefinitely postponed.

House File No. 64—An act supplementary to an act to incorporate the city of Rulo, Richardson county, Nebraska Territory.

Council resolved itself into committee of the whole on said bill, Mr. Chapman in the chair.

After some time the committee arose, and by their chairman reported the bill, with the recommendation that the bill be committed to a select committee.

The bill was re-committed to a select committee, consisting of Messrs. Bayne, McCasland and Holladay.

House File No. 33—An act to revise the laws of Nebraska.

Mr. Kennedy moved to fill the blank in the first section by inserting the word "sixty."

Which was agreed to.

Mr. Allen moved to fill the first blank in the fourth section by inserting the word "five."

Mr. Miller moved to insert the word "seven."

Which latter motion was agreed to.

Mr. Chapman moved to fill the second blank in said section by inserting the word "four."

Mr. Miller moved to insert the word "three."

The question being put upon the former motion, upon a division there was a tie vote.

The President voting in the negative,

It was not agreed to.

The question recurring on the motion of Mr. Miller,

It was agreed to.

Bill passed.

Mr. Kennedy moved to amend the title so as to read as follows:

An act to provide for revising the laws of Nebraska.

Which was agreed to.

And the title, as amended, was agreed to.

On motion of Mr. Miller, the Council adjourned until 10 o'clock to morrow morning.

COUNCIL CHAMBER,
Thursday, February 2, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

The President presented a communication from B. A. Hall, in reference to an Indian squaw, representing herself as the wife of a soldier in service, in destitute circumstances.

Which was referred to the committee on finance.

Mr. McCasland presented the remonstrance of citizens of Pawnee county, against the passage of a herd law.

Referred to the committee on agriculture.

Mr. Blanchard from the committee on highways, reported

House File No. 55—An act to locate a territorial road from Wyoming, in Otoe county, to Lancaster, in Lancaster county, Nebraska Territory,

Without amendment.

Mr. Kennedy, from the committee on the judiciary, reported

Council File No. 36—An act to legalize the election of municipal officers of De Soto, for the year 1864, and for other purposes.

Without amendment.

House File No. 50—An act to legalize the actions of Jacob Beyer, George Hollerieth and Jacob Schen, as trustees of the general German colonization society.

With the recommendation that it be re-committed to a select committee consisting of the members from Richardson, Nemaha and Pawnee, and that said committee be instructed to report specially thereon.

Council File No. 28—An act defining the liabilities of common carriers.

With the recommendation that the further consideration thereof be indefinitely postponed.

A message from the House, by Mr. Taffe, their chief clerk:

HOUSE OF REPRESENTATIVES,
February 4, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed

Council File No. 19—An act to incorporate the Masonic and Odd Fellows Hall Company of Plattsmouth, Nebraska.

Without amendment.

House File No. 101—Substitute for Council File No. 1—An act to make provision for the insane of Nebraska.

House File No. 20—An act to empower the board of education of Forest city district, in Sarpy county, to levy a tax for school purposes for the year 1865.

House File No. 28—An act to empower the board of education of Louisville township, in Cass county, to levy a tax for the purpose of building school-houses in said township.

House File No. 30—An act to authorize Fordyce Roper and Hiram W. Parker to erect a mill-dam across the east fork of the Big Blue river, in Seward county.

House File No. 47—An act to locate and establish a territorial road from Ponca to Elm Grove.

House File No. 53—An act to authorize D. C. Jenkins to build a toll-bridge across Rock creek, in Jones county, Nebraska.

House File No 54—An act to amend an act entitled "an act for the relief of paupers," approved November 4, 1858.

House File No. 71—An act to attach Saunders county to Cass county, for judicial, election and revenue purposes.

House File No. 75—An act to restrain cattle from running at large in St. Johns precinct, Dakota county, Nebraska Territory.

House File No. 76—An act to provide for the erection and incorporation of the Johnson county seminary.

House File No. 77—An act to amend an act broviding for the settlement of the estates of decedents, and for other purposes.

And the concurrence of the Council is respectfully requested.

Mr. Bennett, from the committee on agriculture, to whom were referred two remonstrances of citizens of Arizonia, Burt county, and one remonstrance of citizens of Fort Calhoun, Washington county, reported the same without action or recommendation.

Mr. Porter, on leave given, introduced

Council File No 39—An act to restrain stock from running at large in the county of Douglas, Nebraska Territory.

Read twice and committed to the committee on agriculture.

Mr. Mason, on leave given, introduced

Council File No. 40—An act to amend an act entitled "an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City," approved December 31, 1857.

Read twice, and committed to a select committee consisting of the members from Otoe county.

Council File No. 1, (House File No. 101)—An act to make provision for the insane of Nebraska.

The amendments of the House (substitute) were committed to the committee on finance.

House File No. 77—An act to amend an act providing for the settlement of the estates of decedents, and for other purposes.

Read twice, and committed to the committee on the judiciary.

House File No. 76—An act to provide for the erection and incorporation of the Johnson county seminary.

Read twice, and committed to the committee on counties.

House File No. 75—An act to restrain cattle from running at large in St. Johns precinct, Dakota county, Nebraska Territory.

Read twice, and committed to the committee on agriculture.

House File No. 71—An act to attach Saunders county to Cass county for judicial, election and revenue purposes.

Read twice, and committed to the committee on the judiciary.

House File No. 54—An act to amend an act entitled "an act for the relief of paupers," approved November 4, 1858.

Read twice, and committed to the committee on finance.

House File No. 53—An act to authorize D. C. Jenkins to build a toll-bridge across Rock creek, in Jones county, Nebraska.

Read twice, and committed to the committee on highways.

House File No. 47—An act to locate and establish a territorial road from Ponca to Elm Grove.

Read twice, and committed to the committee on highways.

House File No. 30—An act to authorize Fordyce Roper and Hiram W. Parker to erect a mill-dam across the east fork of the Big Blue river, in Seward county.

Read twice, and committed to the committee on corporations.

House File No. 28—An act to empower the board of education of Louisville township, in Cass county, to levy a tax for the purpose of building school-houses in said township.

Read twice, and committed to the committee on education.

House File No. 20—An act to empower the board of education of Forest City district, in Sarpy county, to levy a tax for school purposes, for the year 1865.

Read twice, and committed to the committee on education.

Mr. Porter, from the committee on finance, on leave given, reported

House File No. 52—An act to provide for the levying and collecting taxes on dogs.

Without amendment.

House File No. 50—An act to legalize the actions of Jacob Beyer, George Hollerieth and Jacob Schen, as trustees of the general German colonization society.

The committee on the judiciary having recommended the re-commitment of this bill to the members from Richardson, Nemaha and Pawnee.

Mr. Holladay moved that "Nemaha" be struck out of said report.

Which was not agreed to.

Mr. McCasland moved that "Pawnee" be stricken out of said report.

Which was not agreed to.

The question being on re-committing the bill as recommended by the judiciary committee,

The question was put, and the Chair decided that it was agreed to.

A division of the house was then called for by Mr. Holladay.

The chair decided that the call for a division after the result of the vote was declared, was not in order.

Mr. Allen appealed from the decision of the Chair, upon the ground that a division may be called for after the result is declared, before any new motion be made.

The question being, shall the decision of the Chair stand as the judgment of the House?

The yeas and nays were demanded.

Yeas—Mr. Kennedy—1

Nays—Messrs. Albertson, Allen, Bayne, Bennett, Blanchard, Chapman, Griffey, Holladay, McCasland, Miller and Porter—11.

So the decision of the chair was not sustained.

The question upon re-commitment of the bill being again put, upon a division, it was agreed to.

So the bill was re-committed to a select committee consisting of Messrs. Bayne, Holladay and McCasland.

Council File No. 28—An act defining the liabilities of common carriers.

Mr. Porter moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to, and the bill indefinitely postponed.

A message from the acting Governor, by Mr. Knox, his private Secretary:

EXECUTIVE CHAMBER,
Omaha, Feb'y 2, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the acting Governor to announce to your honorable body the following communication.

R. S. KNOX,
Private Secretary.

EXECUTIVE CHAMBER,
Omaha, Feb'y 2, 1865.

To the Honorable, the Council of the Legislative Assembly:

GENTLEMEN—I have the honor to notify you that his Excellency, Governor Saunders, departed from the Territory on yesterday, to go to the National Capitol.

He went in compliance with the request of the legislative assembly to aid our delegate in obtaining a reimbursment of the money ordered by you to be advanced to the Federal Government, for the payment of the militia sent by this Territory to protect the overland mails and telegraph, and guard the commerce of the plains against the attacks of hostile Indians.

The duties of the executive office, during his absence, will devolve upon me, and however onerous those duties may become, when added to the duties and responsibilities pertaining to the office of Secretary, I very cheerfully enter upon their performance, sustained by the belief that the same spirit of kindness and magninamity which has characterized your official intercourse with me heretofore will continue during the period of increased labor and responsibility which is before me.

Permit me, Gentlemen, to remind you of the suggestion made to you by the Chief Executive, in his message at the commencement of your session, that important measures should not be left for final passage and approval to the last day of the session. If this was important before, it has become an absolute necessity now, when you have an executive officer with less experience and double duties to perform.

Very respectfully, your obedient servant,

A. S. PADDOCK, *Acting Governor*.

House File No. 55—An act to locate a territorial road from Wyoming, in Otoe county, to Lancaster, in Lancaster county, Nebraska Territory.

Mr. Bennett moved that the further consideration of the bill be indefinitely postponed.

Which was not agreed to.

Mr. Allen moved that the rules be suspended and the bill read a third time, now.

Which was agreed to,

Read third time, passed and title agreed to.

Council File No. 36—An act to legalize the election of municipal officers of De Soto, for the year 1864, and for other purposes.

On motion of Mr. Kennedy the bill was considered in council.

Mr. Kennedy moved that the rules be suspended and the bill read a third time, now.

Which was agreed to.

Read third time, passed and title agreed to.

House File No. 52—An act to provide for the levying and collecting taxes on dogs.

Council resolved itself into committe of the whole on said bill, Mr. Miller in the chair.

After some time the committee arose, and by their chairman, reported the bill, without amendments.

Mr. Kennedy moved to lay the bill, together with the report, upon the table.

Mr. Allen moved to lay that motion upon the table.

Upon a division, the Council being equally divided, the chair voted in the affirmative.

So the motion of Mr. Kennedy was laid upon the table.

Mr. Kennedy moved that the further consideration of the bill be indefinitely postponed.

Mr. Allen moved to lay that motion upon the table.

Upon a division, the house being equally divided, the President voted in the affirmative.

So the motion of Mr. Kennedy was laid upon the table.

Mr. Chapman moved to amend the first section, as follows:

Strike out the words "for dog No. 1, one dollar; for dog No. 2, three dollars; for dog No. 3, five dollars," and insert instead the words "dog No. 1, exempt from taxation; for dog No. 2, one dollar; for dog No. 3, two dollars."

Pending which Mr. Holladay moved to re-commit the bill to the committee on the judiciary.

Upon a division, the House being equally divided, the President voted in the negative.

So it was not agreed to.

The question recurring on the amendment,

It was agreed to.

Mr. Chapman moved to suspend the rules and that the bill be read a third time, now.

Pending which, Mr. Kennedy moved to amend, by striking out the word "three," in the first section, and inserting "five" instead.

Mr. Miller moved to lay that motion on the table.

Upon a division, the Council being equally divided, the President voted in the affirmative.

So the motion to amend was laid upon the table.

The question recurring upon the motion of Mr. Chapman, to suspend the rules,

The yeas and nays were demanded.

Yeas—Messrs. Allen, Chapman, Holladay, McCasland, Miller and Porter —6.

Nays—Messrs. Albertson, Bayne, Bennett, Blanchard, Griffey and Kennedy—6.

The president voting in the affirmative,

It was so ordered.

Bill read third time, passed and title agreed to.

Mr. Allen asked and obtained leave to withdraw the remonstrances of citizens of Burt and Washington counties against the passage of a herd law.

Mr. Miller moved that the Council proceed to the consideration of the resolutions reported by the committee on elections.

The yeas and nays were demanded.

Yeas—Messrs. Chapman, Holladay, McCasland and Miller—4.

Nays—Messrs. Albertson, Allen, Bayne, Bennett, Griffey, Kennedy and Porter—7.

So it was not agreed to.

The President presented a communication from the Hon. W. E. Harvey, Territorial Auditor, as follows:

OFFICE OF TERRITORIAL AUDITOR,
Omaha, N. T., January 30, 1865.

To the Honorable Council of the Territory of Nebraska:

In reply to your resolution of the 25th inst. I have the honor to state that in pursuance of my contract with Leicester Cowles, of New York, the following blank books were purchased, to-wit:

10	2 qr. med. tax lists, full sheep bind., at	$4 22	per book	$42 20
10	3 “ “ “ “	6 24	“	62 40
8	5 “ “ “ “	10 14	“	81 12
8	6 “ “ “ corners with rusia	12 35	“	98 80
4	8 “ “ “ “	16 25	“	65 00
100	sheets, same form, not bound			9 10
20	3 qr. med. “Tres. csh. bk. full sp. at	6 24	per bk.	124 80
20	5 “ “ “ “	10 28	“	205 60
100	sheets, same form, not bound			9 10
10	2 quire Treasr's warrant bks. full sp.	4 22	“	53 30
10	4 “ “ “ “	8 11	“	81 10
100	sheets, same form, not bound			9 10
10	3 quire demi sales books, full sheep	5 33	“	53 30
10	5 “ “ “ “	9 10	“	91 00
1000	sheets, same form, not bound			54 60
	Extra, for russia corners, on 6 and 8 quire, tax lists, net cost			11 80
	Total			1041 22
	Add cost of advertising for proposals			25 00
	Total cost of books and blanks			1066 22

After the contract had been forwarded to Mr. Cowles, I was advised that the larger books ought to have Russia corners, and admitting the necessity, I authorized Mr. Cowles to put them on the 6 and 8 quire tax books, which he did, charging therefor, nett cost.

The books were distributed as follows: One “tax list” and duplicate, one “cash book” and duplicate, one “warrant book” and one “sales book,” with a sufficient number of the unbound sheets to the following named counties, Burt, Cass, Cedar, Clay, Cuming, Dakota, Dixon, Dodge, Douglas, Gage, Johnson, Jones, Lancaster, Nemaha, Otoe, Pawnee, Platte, Richardson, Sarpy and Washington. The largest books to the largest counties, &c. All of the counties which have reported assessments during the several years past were supplied, with the exception of Kearney county, from which no report was received for the year 1864.

The sales books and warrant books already furnished will be sufficient for most of the counties for the current year. Almost all will require a “tax list” and duplicate, and “cash book” and duplicate for the current year, the cost of which will be increased from 25 to 50 per cent. over last year. I am informed by blank-book manufacturers that 50 per cent. additional would about cover the increased cost of material and labor. Should there be any material improvement in the value of the currency, the increased cost above estimated may be materially reduced. I have therefore estimated the cost of the blank books that will be required at $1000.

There will also be required, before another opportunity can be made available,

15,000	Assessors blanks, estimated at	$15 00	per 1000	$225 00
2,500	returns of taxable lands	18 00	“	45 00
2,000	“ “ town lots	20 00	“	40 00
2,000	“ “ persn'l. propy.	40 00	“	80 00
100	“ “ assessments to board of equalization at			5 00
1,500	county treasurer's tax deeds, at	20 00	per 1000	30 00
5,000	“ “ cer'ts tax sales	12 00	“	60 00
5,000	supervisor's receipts	10 00	“	50 00
20,000	Co. Tr's tax recpts. (bound)	15 00	“	300 00

Estimated cost of blank books	$1835 00
Add deficiency in appropriation last year	66 22
Also, cost of 1000 territorial warrants, purchased in accordance with requirements of appropriation bill last session, not yet paid for	50 00
Estimated cost of express charges, and cost of delivering books and blanks for current year	48 78
Total	$2000 00

I have requested county clerks throughout the Territory to send to this office estimates of the books (giving the number of pages required) and number of the several blanks, also school books, required for use in their counties during the current year. Some of the clerks have responded to the request, and before advertisements are published, inviting proposals for furnishing the books and blanks, I will probably be able to state definitely the exact number of pages of the books and the number of blanks required for the whole Territory.

For further information relative to the contract, and for the opinions of officers having duties to perform under the revenue laws, relative to furnishing the books and blanks by the Territory, I respectfully call your attention to my annual report.

I have the honor to be your obedient servant,

WILLIAM E. HARVEY,
Territorial Auditor.

Which was referred to the committee on ways and means.

On motion of Mr. Miller, the Council adjourned till 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Friday, February 3, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called—Absent, Mr. Griffey.
Journal read and approved.

On motion of Mr. Holladay, leave of absence was granted to Mr. Griffey, on account of illness.

A messages from the house, by Mr. Taffe, their chief clerk:

HOUSE OE REPRESENTATIVES,
February 3, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

House File No. 5—An act to restrain swine from running at large in Cuming county.

House File No. 81—An act granting the right of way to open and drain coal mines.

House File No. 85—An act to amend an act entitled "an act to incorporate the city of Florence," approved March 15, 1855.

House File No. 94—An act to authorize Henry Thompson, his successors and assigns, to keep two dams across the north channel of Platte river, in Hall county.

And the concurrence of the Council is respectfully requested.

Mr. Bayne presented petitions of 351 citizens of Richardson county in favor of a repeal of the law of last session restraining swine from running at large, so far as relates to the district known as the half-breed tract.

Which were laid upon the table, with leave to Mr. Bayne to withdraw the same.

Mr. Miller presented the petition of citizens of Douglas, Cass, Lancaster, &c., counties, for a territorial road from Omaha to the south line of the Territory.

Referred to the committee on highways.

Also,

The remonstrance of citizens of Cass county against the enactment of a herd law.

Referred to the committee on agriculture.

Mr. Chapman, from the committee on corporations, reported

Council File No. 38—An act to incorporate the Nebraska City petroleum and coal mining company.

House File No. 90—An act to incorporate Rock Bluff Lodge No. 6, of the Independent Order of Odd Fellows.

House File No. 30—An act to authorize Fordyce Roper and Hiram W. Parker to erect a mill-dam across the east fork of the Big Blue river, in Seward county.

Without recommendation.

Council File No. 37—An act to vacate the town site of Plattford, in Sarpy county, Nebraska.

Without amendment.

Mr. Blanchard, from the committee on highways, reported

House File No. 47—An act to locate and establish a territorial road from Ponca to Elm Grove.

House File No. 53—An act to authorize D. C. Jenkins to build a toll-bridge across Rock creek, in Jones county, Nebraska.

Without amendment.

Mr. Miller, from the committee on education, reported

Council File No. 30—An act to revise and amend an act providing for the better regulation of schools in Nebraska.

Without recommendation.

House File No. 28—An act to empower the board of education of Louisville township, in Cass county, to levy a tax for the purpose of building school houses in said township.

House File No. 20—An act to empower the board of education of Forest City district, in Sarpy county, to levy a tax for school purposes, for the year 1865.

Without amendment.

Mr. Porter, from the committee on finance, reported

Council File No. 1, (House File No. 101)—An act to make provision for the insane of Nebraska.

House File No. 54—An act to amend an act entitled "an act for the relief of paupers," approved November 4, 1858.

Without amendment.

Also,

The communication of B. A. Hall to the Honorable President of the Council, in relation to an Indian squaw, wife of a soldier, with two half-breed children, which was referred to the committee on finance, ways and means.

In the opinion of your committee, if we commence making provision for the relief of the Indians, we shall soon have plenty of them applying to this legislature for the same. And your committee further believe that the said squaw, claiming to be the wife of a white soldier, can get relief by applying to the county commissioners, or the overseers of the poor of said county, under an act entitled "an act for the relief of paupers," approved November 4, 1858.

Mr. Allen, from the committee on counties, reported

House File No. 76—An act to provide foı the erection and incorporation of the Johnson county seminary,

With the recommendation that it be re-committed to the committees on education and finance.

Mr. Benndtt, from the committee on agriculture, reported

House File No. 75—An act to restrain cattle from running at large in St. Johns precinct, Dakota county, Nebraska Territory.

House File No. 92—An act to repeal an act to restrain swine from running at large within the limits of Richardson county, N. T., so far as the same relates to the tract of land known as the half-breed tract.

Council File No. 39—An act to restrain stock from running at large in the county of Douglas, Nebraska Territory.

Without amendment.

Mr. Bennett, from the select committee on that subject, reported

House File No. 64—An act supplementary to an act to incorporate the city of Rulo, Richardson county, Nebraska Territory.

Without amendment.

Mr. Bennett moved that the chief clerk be instructed to request the House to return

House File No. 55—An act to locate a territorial road from Wyoming, in Otoe county, to Lancaster, in Lancaster county, Nebraska Territory.

Which motion was agreed to.

Council File No. 41—Joint memorial and resolution respecting an insane asylum in Nebraska.

Read twice, and committed to the committee on federal relations.

House File No. 64—An act supplementary to an act to incorporate the city of Rulo, Richardson county, Nebraska Territory.

The Council resolved itself into committee of the whole on said bill, Mr. Chapman in the chair.

After some time the committee arose, and by their chairman, reported the bill, with sundry amendments.

The amendments were adopted.

Bill read third time, passed and title agreed to.

House File No. 20—An act to empower the board of education of Forest City district, in Sarpy county, to levy a tax for school purposes, for the year 1865.

Read third time, passed and title agreed to.

House File No. 28—An act to empower the board of education of Louisville township, in Cass county, to levy a tax for the purpose of building school houses in said township.

Read third time, passed and title agreed to.

House File No. 85—An act to amend an act entitled "an act to incorporate the city of Florence."

Read third time, passed and title agreed to.

House File No. 94—An act to authorize Henry Thompson, his successors and assigns, to keep two dams across the North channel of Platte river, in Hall county.

Mr. Porter moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to.

So the bill was indefinitely postponed.

Council File No. 37—An act to vacate the town site of Plattford, Sarpy county, Nebraska.

Read third time, passed and title agreed to.

House File No. 30—An act to authorize Fordyce Roper and Hiram W. Parker to erect a mill-dam across the east fork of the Big Blue river, in Seward county.

Mr. Kennedy moved that the further consideration of the bill be indefinitely postponed.

Mr. Allen moved that the bill be laid upon the table.

Which latter motion was agreed to; so the bill was laid upon the table.

Mr. Kennedy moved to re-consider the vote by which House File No. 85, an act to amend an act entitled "an act to incorporate the city of Florence," was passed.

Which was agreed to.

House File No. 76—An act to provide for the erection and incorporation of the Johnson county seminary.

On motion of Mr. Kennedy the bill was re-committed to the committees on finance and education.

Council File No. 38—An act to incorporate the Nebraska City petroleum and coal mining company.

Mr. Porter moved that the bill be read a third time, now.

Mr. Kennedy moved to amend section one, by striking out the names of O. P. Mason and John B. Bennett.

Which latter motion was not agreed to.

Mr. Mason moved to re-commit the bill to a select committee.

Which was agreed to.

Messrs. Mason, Miller and Chapman were appointed said committee.

Mr. Allen moved that the Council proceed to the consideration of the resolutions of the committee on elections.

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, Chapman, Holladay, McCasland and Miller—6.

Nays—Messrs. Albertson, Bennett, Kennedy and Porter—4.

So it was agreed to.

Mr. Chapman moved that the Council consider the resolutions and report in committee of the whole house.

Which being agreed to, the Council resolved itself into committee of the whole, Mr. Chapman in the chair.

After some time the committee arose, and by their chairman reported that the committee had made some progress thereon, and asked leave to sit again to-morrow.

And it was so ordered.

Council File No. 1, (House File No. 101)—An act to make provision for the insane of Nebraska.

The amendment of the House (substitute) was concurred in.

House File No. 92—An act to repeal an act to restrain swine from running at large within the limits of Richardson county, so far as the same relates to the tract of land known as the half-breed tract.

Read third time, passed and title agreed to.

Council File No. 39—An act to restrain stock from running at large in the county of Douglas, Nebraska Territory.

Read third time, passed and title agreed to.

House File No. 75—An act to restrain cattle from running at large in St. Johns precinct, Dakota county, Nebraska Territory.

Read third time, passed and title agreed to.

House File No. 53—An act to authorize D. C. Jenkins to build a toll-bridge across Rock creek, in Jones county, Nebraska.

Read third time.

The question being, shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Blanchard, Chapman, Griffey, Holladay, McCasland and Miller—9.

Nays—Messrs. Bennett, Kennedy and Porter—3.

So the bill passed; title agreed to.

House File No. 47—An act to locate and establish a territorial road from Ponca to Elm Grove.

Read third time, passed and title agreed to.

House File No. 54—An act to amend an act entitled "an act for the relief of paupers," approved November 4, 1858.

Read third time, passed and title agreed to.

House File No. 90—An act to incorporate Rock Bluff Lodge No. 6, of the Independent Order of Odd Fellows.

Read third time, passed and title agreed to.

House File No. 85—An act to amend an act entitled "an act to incorporate the city of Florence," approved March 15, 1855.
Read twice, and committed to the committee on corporations.

House File No. 5—An act to restrain swine from running at large in Cuming county.
Read twice, and committed to the committee on agriculture.

House File No. 81—An act granting the right of way to open and drain coal mines.
Read twice, and committed to the committee on the judiciary.

Mr. Bayne moved to reconsider the vote by which the Council refused to pass
House File No. 58—An act to incorporate Platte Lodge No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska Territory.

On motion of Mr. Kennedy the Council adjourned until 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Saturday, February 4, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Miller presented the petition of the county commissioners of Johnson county, Nebraska, praying for the erection of a county seminary.
Laid upon the table.

Mr. Kennedy, from the committee on the judiciary, reported
House File No. 71—An act to attach Saunders county to Cass county, for judicial, election and revenue purposes.
Without amendment.

Mr. Miller, from the committee on education, reported
House File No. 76—An act to provide for the erection and incorporation of the Johnson county seminary.
Without amendment.

Mr. McCasland, from the committee on federal relations, reported
Council File No. 41—Joint memorial and resolutions respecting an insane asylum in Nebraska.
Without amendment.

Mr. Bayne, from the select committee on that subject, reported
House File No. 50—An act to legalize the actions of Jacob Beyer, George Hollerieth and Jacob Schen, as trustees of the general German colonization society.
Without amendment.

Mr. Mason, from the select committee on that subject, reported
Council File No. 38—An act to incorporate the Nebraska City petroleum and coal mining company.
With amendments.

Mr. Miller, on leave, introduced
Council File No. 42—An act for the relief of Nebraska volunteers and their families.
Read twice, and committed to the committee on finance.

Council File No. 41—Joint memorial and resolutions respecting an insane asylum in Nebraska.
Ordered to a third reading.
Mr. Kennedy moved to fill the blank in said bill by inserting the word "thirty" therein.
Mr. Allen moved to insert "forty."
Mr. Miller moved to insert "two hundred."
Mr. Chapman moved to insert "fifty."
The question being severally taken on the higher numbers,
Ordered, that the blank be filled by inserting the word "forty" therein.
Bill passed and title agreed to.

Council File No. 30—An act to revise and amend an act entitled "an act providing for the better regulation of schools in Nebraska."
The Council resolved itself into committee of the whole on said bill, Mr. Miller in the chair.
After some time the committee arose, and by their chairman reported the bill, with sundry amendments.
The amendments were adopted and the bill ordered to be engrossed.

A message from the House, by Mr. Taffe their chief clerk.

HOUSE OF REPRESENTATIVES,
Saturday, February 4, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed, Council File No. 33—An act to amend "an act to regulate the entry and disposal of town sites," approved November 4, 1858.

Without amendment.

Council File No. 3—An act respecting official bonds and oaths.

Council File No. 32—An act to authorize the election of county assessors in certain counties.

With amendments thereto attached.

House File No. 27—An act to regulate ferries in the counties of Dakota, Dixon, Cedar and L'Eau qui Court, in the Territory of Nebraska.

House File No. 61—An act to authorize William A. Toffelmire and Garrett N. Martindale to erect a mill-dam across Muddy creek, in Richardson county Nebraska Territory.

House File No. 65—An act to amend an act entitled "an act to incorporate Falls City, Nebraska, approved January 13, 1860.

House File No. 83—An act to provide for a special election in the county of Kearney.

House File No. 91—An act to change the name of James R. Case to James Murry.

House File No. 98—An act to authorize George P. Tucker to erect and keep a mill-dam across Tucker creek, in Johnston county, Nebraska Territory.

House File No. 99—An act to locate a territorial road from Ft. Calhoun to Fontenelle, in Washington county.

And the concurrence of the Council is requested.

I am also instructed to inform your honorable body that House File No. 55—An act to locate a territorial road from Wyoming, in Otoe county, to Lancaster, in Lancaster county, Nebraska Territory, has passed from the possession of the House, having been enrolled and presented to the Governor.

House File No. 50—An act to legalize the actions of Jacob Beyer, George Hollerieth and Jacob Schen, as trustees of the general German colonization society.

Read third time, passed and title agreed to.

House File No. 71—An act to attach Saunders county to Cass county, for judicial, election and revenue purposes.

Read third time, passed and title agreed to.

House File No. 76—An act to provide for the erection and incorporation of the Johnson county seminary.

Read third time, passed and title agreed to.

Council File No. 38—An act to incorporate the Nebraska City petroleum and coal mining company.

The amendments of the select committee were adopted, and the bill ordered engrossed.

House File No. 99—An act to locate a territorial road from Ft. Calhoun to Fontenelle, in Washington county.

Read twice, and committed to the committee on highways.

House File No. 98—An act to authorize George P. Tucker to erect and keep a mill-dam across Tucker creek, in Johnson county, Nebraska Territory.
Read twice, and committed to the committee on corporations.

House File No. 91—An act to change the name of James R. Case to James Murry.
Read twice, and committed to the committee on the judiciary.

House File No. 83—An act to provide for a special election in the county of Kearney.
Read twice, and committed to the committee on elections.

House File No. 65—An act to amend an act entitled "an act to incorporate Falls City, Nebraska," approved January 13, 1860.
Read twice, and committed to the committee on corporations.

House File No. 27—An act to regulate ferries in the counties of Dakota, Dixon, Cedar and L'Eau qui Court, in the Territory of Nebraska.
Read twice, and committed to the committee on the judiciary.

House File No. 61—An act to authorize William A. Toffelmire and Garrett N. Martindale to erect a mill-dam across Muddy Creek, in Richardson county, Nebraska Territory.
Read twice, and committed to the committee on corporations.

Council File No. 3—An act respecting official bonds and oaths.
The several amendments of the House were concurred in.

Council File No. 32—An act to amend an act entitled "an act to regulate the entry and disposal of town sites," approved November 4, 1858.
The amendments of the house was concurred in.

Mr. Miller, from the committee on finance, reported
Council File No. 42—An act for the relief of Nebraska volunteers and their families.
Without amendment.
Ordered, that the bill be printed.

On motion of Mr. Holladay the Council adjourned until 10 o'clock on Monday morning.

COUNCIL CHAMBER,
Monday, February 6, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called—Absent, Messrs. Bennett and Holladay.
Journal read and approved.

Mr. Kennedy, from the committee on the Judiciary, reported

House File No. 77—An act to amend an act providing for the settlement of the estates of decedents, and for other purposes.

With the recommendation that it be laid upon the table.

House File No. 81—An act granting the right of way to open and drain coal mines.

With the recommendation that it be indefinitely postponed.

Council File No 35—An act relative to real property.

With sundry amendments.

House File No. 91—An act to change the name of James R. Case to James Murry.

House File No. 27—An act to regulate ferries in the counties of Dakota, Dixon, Cedar and L'Eau qui Court, in the Territory of Nebraska.

Without amendment.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 38—An act to incorporate the Nebraska City petroleum and coal mining company.

Correctly engrossed.

Mr. Chapman, from the committee on elections, reported

House File No. 83—An act to provide for a special election in the county of Kearney.

Without amendment.

Mr. Griffey, from the select committee on that subject, reported

Council File No 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

With amendments; and submitted a report in writing thereon, as follows:

Your committee, fully appreciating the expediency of a good system of laws for organizing the militia, entered upon the discharge of their duties with no little solicitude. But upon a consideration of the subject, with a limited reference to other militia laws, your committee find it a work that will require vastly more labor and time than they have at their disposal, to perfect a law that would be satisfactory to your committee even. Your committee find that, in their judgment, a complete general law, covering the whole subject matter, is needed. That the present so styled militia law of this Territory is too meager to be of scarcely any avail, as a law; and your committee, for want of time, could not, in justice to themselves, attempt its amendment. And while the bill under consideration is, perhaps, in many respects an improvement, at least so far as it goes, yet the bill is so palpably deficient, by reason of its limitedness, that your committee cannot recommend its passage in its present condition.

Mr. Mason, on leave given, introduced

Council File No. 43—Memorial and joint resolution relative to the department of the plains.

Read twice, and committed to the committee on federal relations.

Mr. Holladay, from the committee on enrolled bills, reported that the committee had examined bills of the following titles, and found them correctly enrolled:

Council File No. 19—An act to incorporate the Masonic and Odd Fellows Hall Company of Plattsmouth, Nebraska.

Council File 31—An act to vacate the street and alleys in the city of Brownville which are upon the Walnut Grove Cemetery, and to dedicate blocks 58 and 59 as a burial ground.

Council File No. 32—An act to authorize the election of county assessors in certain counties.

Council File No. 33—An act to amend an act entitled "an act to regulate the entry and disposal of town sites," approved November 4, 1858.

And after having them signed by the Speaker of the House, President of the Council, and endorsed by the Chief Clerk of the Council, presented the same to the acting Governor for his approval at 10 o'clock A. M., this 4th day of February, 1865.

Mr. Bayne, on leave given, introduced

Council File No. 44—An act to incorporate Platte Lodge No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska Territory.

Read twice, and committed to the committee on corporations.

Council File No. 35—An act relative to real property.

The Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman, reported the bill, with amendments.

The amendments were adopted.

Ordered, That the bill be engrossed.

House File No. 27—An act to regulate ferries in the counties of Dakota, Dixon, Cedar and L'Eau qui Court, in the Territory of Nebraska.

Read third time, passed and title agreed to.

Mr. Bennett, from the select committee on that subject, reported

Council File No. 40—An act to amend an act entitled "an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City," approved December 31, 1857.

With an amendment by way of substitute therefor.

House File No. 77—An act to amend an act providing for the settlement of the estates of decedents.

Mr. Allen moved to indefinitely postpone the further consideration of the bill.

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Blanchard, Griffey, Holladay, Kennedy, McCasland, Miller and Porter—11.

Nay—Mr. Chapman—1.

So the bill was indefinitely postponed.

House File No. 81—An act granting the right of way to open and drain coal mines.

Mr. Kennedy moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to, and the bill indefinitely postponed.

Council File No. 40—An act to amend an act entitled, "an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City," approved December 31, 1857.

The amendment of the committee, by way of substitute, was adopted.

Ordered, That the bill be engrossed.

House File No. 83—An act to provide for a special election in the county of Kearney.

Read third time, passed and title agreed to.

House File No. 91—An act to change the name of James R. Case to James Murry.

Read third time, passed and title agreed to.

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman reported that they had come to no resolution thereon, and asked leave to sit again.

Which was granted.

Council File No. 38—An act to incorporate the Nebraska City petroleum and coal mining company.

Read third time.

Upon the question, shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Blanchard, Chapman, Miller and Porter—6.

Nays—Messrs. Bayne, Griffey, Holladay Kennedy and McCasland—5.

Mr. Allen insisted that the chair should vote.

The chair decided that the President is only required to vote when there is a tie vote; and may vote when it will otherwise change the result.

Mr. Allen appealed from the decision of the Chair, as follows:

"That the Chair is compelled to vote in all cases of a tie, or where his vote, if cast with the minority, will make a tie, and thereby defeat the question."

Mr. Porter moved a call of the House.

Absent, Mr. Bennett.

Mr. Holladay moved that the Sergeant-at-Arms be despatched after the absentee.

And it was so ordered.

Mr. Bennett having come within the bar of the House,

On motion of Mr. Holladay,

Ordered, That all further proceedings in the call be dispensed with.

Upon the question, shall the decision of the Chair stand as the judgment of the House?

The yeas and nays were demanded.

Yeas—Mr. Bennett, Blanchard, Holladay, and McCasland—4.

Nays—Messrs. Albertson, Allen, Bayne, Chapman, Griffey, Kennedy, Miller and Porter—8.

So the decision of the chair was not sustained.

Whereupon the President voted in the affirmative.

So the bill passed.

Mr. Chapman moved to re-consider the vote by which the bill was passed.

Which was agreed to.

The question recurring, shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bennett, Blanchard Chapman, and Porter—6.

Nays—Messrs. Bayne, Griffey, Holladay, Kennedy, McCasland and Miller—6.

The President voted in the affirmative.

So the bill passed.

Title agreed to.

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

Being again taken up,

Council resolved itself into committe of the whole on said bill, Mr. Chapman in the chair.

After some time the committee arose, and by their chairman, reported the bill, with amendments.

On motion of Mr. Porter, the amendments were adopted.

On motion of Mr. Porter the bill was committed to a committee of two on the part of the Council, to confer with a like committee on the part of the House, with instructions to report a complete bill, as soon as practicable.

Messrs. Chapman and Bayne were appointed said committee on the part of the Council.

On motion of Mr. Porter the Council took a recess for one hour.

AFTER RECESS.

The President ordered a call of the House.

Absent—Messrs. Allen, Bayne, Blanchard, Holladay, McCasland and Miller.

A quorum appearing within the bar,

The Council proceeded to the consideration of

Council File No. 42—An act for the relief of the Nebraska volunteers and their families.

Mr. Porter moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to, so the bill was indefinitely postponed.

On motion of Mr. Kennedy, the Council adjourned till 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Tuesday, February 7, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Bayne presented the petition of Thomas J. Deatin and forty-five others, citizens of Richardson county, for a repeal of the law restraining swine from running at large in the tract known as the half-breed tract.

Laid on the table.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 40—An act to amend an act entitled "an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City," approved December 31, 1857.

Council File No. 35—An act relative to real property.

Correctly engrossed.

Mr. Blanchard, from the committee on highways, reported

House File No. 99—An act to locate a territorial road from Fort Calhoun to Fontenelle, in Washington county.

Without amendment.

Mr. McCasland, from the committee on federal relations, reported

Council File No. 43—Memorial and joint resolution relative to the Department of the Plains.

Without amendment.

Mr. Bennett, from the committee on agriculture, reported

House File No. 5—An act to restrain swine from running at large in Cuming county.

Without amendment.

Mr. Chapman, from the joint committee on that subject, reported

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

With an amendment by way of substitute therefor.

On motion of Mr. Porter, the bill was re-committed to the committee on military affairs.

The following notices of bills were given:

By Mr. Miller,

Of an act for the increase of the pay of the Nebraska volunteers.

By Mr. Kennedy,

Of an act to amend an act entitled "an act to allow the funding of the indebtedness of the Territory.

Also,

Of an act to amend an act relative to real estate, and the alienation thereof by deed.

House File No. 5—An act to restrain swine from running at large in Cuming county.

Read third time, passed and title agreed to.

Council File No. 43—Memorial and joint resolution relative to the Department of the plains.

Mr. Allen moved that the bill be re-committed to a select committee of two.

Which was agreed to,

Messrs. Allen and Kennedy were appointed said committee.

House File No. 99—An act to locate a territorial road from Fort Calhoun to Fontenelle, in Washington county.

Read third time, passed and title agreed to.

Council File No. 40—An act to amend an act entitled "an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City," approved December 31, 1857.

Read third time, passed, and title agreed to.

The motion of Mr. Bayne, made on the 3d instant, to reconsider the vote by which the Council refused to pass

House File No. 58—An act to incorporate Platte Lodge, No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska Territory.

Was considered and agreed to.

The question recurring on the passage of the bill,

The bill passed and the title was agreed to.

Mr. Chapman moved that the chief clerk be instructed to request the House to return said bill,

Which was agreed to.

Mr. Chapman, from the committee on corporations, on leave given, reported

House File No. 61—An act to authorize William A. Toffelmire and Garrett N. Martindale to erect a mill-dam across Muddy creek, in Richardson county, Nebraska Territory.

House File No. 65—An act to amend an act entitled "an act to incorporate Falls City, Nebraska."

House File No. 98—An act to authorize George P. Tucker to erect and keep a mill-dam across Tucker creek, in Johnson County, Nebraska Territory.

House File No. 85—An act to amend an act entitled "an act to incorporate the city of Florence," approved March 15, 1855.

Council File No. 44—An act to incorporate Platte Lodge No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska Territory.

Without recommendation.

Mr. McCasland moved that the Council proceed to the consideration of

House File No. 30—An act to authorize Fordyce Roper and Hiram W. Parker to erect a mill-dam across the east fork of the Big Blue river, in Seward county.

On which question

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Blanchard, Chapman, Griffey, Holladay, McCasland and Miller—9.

Nays—Messrs. Bennett, Kennedy and Porter—3.

So it was agreed to.

Mr. Porter moved that the further consideration of the bill be indefinitely postponed.

Mr. Miller moved to lay that motion upon the table.

Upon the latter question

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Chapman Holladay, McCasland and Miller—7.

Nays—Messrs. Bennett, Blanchard Griffey, Kennedy and Porter—5.

So the motion to postpone indefinitely was laid upon the table.

Mr. Allen moved that the bill be read a third time, now.

Mr. Porter moved to lay that motion upon the table.

Upon which latter motion

The yeas and nays were demanded.

Yeas—Messrs. Bennett, Griffey, Kennedy and Porter—4.

Nays—Messrs. Albertson, Allen, Bayne, Blanchard, Chapman, Holladay, McCasland and Miller—8.

So it was not agreed to.

And the motion of Mr. Allen was agreed to.

The question now being, shall the bill pass?

A message from the House, by Mr. Taffe, their chief clerk.

HOUSE OF REPRESENTATIVES,
February 6, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

Council File No. 27—An act to designate the time for electing Territorial Auditor and Treasurer.

Without amendment.

House File No. 39—An act further to regulate the practice and proceedings in chancery.

House File No. 49—An act to provide for an estray law.

House File No. 69—An act to encourage agriculture, promote the growth of timber, and restrain stock from running at large in certain counties in the Territory of Nebraska.

And the concurrence of the Council is respectfully requested.

Also,

That the House has concurred in the amendment of the Council to

House File No. 52—An act to provide for the levying and collecting taxes on dogs.

And to House File No. 64—An act supplementary to an act to incorporate the city of Rulo, Richardson county, Nebraska Territory, approved January 11, 1861.

I am also further instructed to inform your honorable body that the House has appointed Messrs. McCandlish, Hagood and Conoyer to act with the committee already appointed by the Council for the purpose of reporting a complete bill for enrolling, organizing, calling into service and paying the Nebraska militia.

Pending the question on the passage of the bill, (House File No. 30)

Mr. Porter in the chair,

Mr. Kennedy, while speaking to the question, yielded the floor to Mr. Mason to make a statement of the facts in the case on the bill pending.

Mr. Allen rose to a point of order: "That the gentleman from Douglas, (Mr. Kennedy,) cannot yield the floor to another member to make a speech, which he is doing, and then claim the floor after the member has made his speech."

The Chair decided that the gentleman from Otoe, (Mr. Mason,) was in order, confining himself to the facts for the statement of which the floor was yielded.

Mr. Allen appealed from the decision.

A message from the acting Governor, by Mr. Knox, his private Secretary:

EXECUTIVE CHAMBER,
Omaha, Feb'y 7, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the acting Governor to announce to your honorable body that he has approved and signed

"An act to vacate the street and alleys in the city of Brownville, which are upon the Walnut Grove Cemetery, and to dedicate blocks 58 and 59 as a burial ground."

"An act to incorporate the Masonic and Odd Fellows Hall Company of Plattsmouth, Nebraska"

"An act to authorize the election of county assessors in certain counties."

"An act to amend an act entitled "an act to regulate the entry and disposal of town sites," approved November 5, 1858.

Mr. Mason rose to debate the question on the appeal.

Mr. Allen rose to a point of order, "That a question of order is not debatable."

The Chair decided that an appeal is debatable.

Mr. Allen appealed from this decision, also.

Mr. Mason rose to a point of order, "that pending one appeal no further appeal can be had."

The chair decided that an appeal cannot be taken pending another appeal.

From which decision Mr. Allen made a third appeal.

The question being stated on the last appeal, to-wit, Shall the decision of the Chair stand as the judgment of the House?

Mr. Allen moved the previous question.

Upon a division, there being six in the affirmative and five in the negative, the Chair voted in the negative.

So the main question was not ordered.

After debate,

The question being put,

The decision of the Chair was sustained.

The question upon the second appeal being entertained,

Upon the question, shall the decision of the Chair stand as the judgment of the House?

Being put,

The decision of the Chair was sustained.

The question recurring upon the first appeal, "shall the decision of the Chair stand as the judgment of the House.

The President in the chair.

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bennett, Blanchard Griffey, Kennedy and Porter—6.

Nays—Messrs. Allen, Chapman, Holladay, McCasland and Miller—5.

So the decision of the Chair was sustained.

The question recurring, shall the bill pass?

Mr. Holladay moved the previous question.

And the question being, shall the main question be now put?

The yeas and nays were demanded.

Yeas—Messrs. Bayne, Bennett, Blanchard, Chapman, Griffey, Holladay, Kennedy, McCasland, Miller and Porter—10.

Nays—None.

So it was ordered that the main question be now put.

The question being, shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, McCasland and Miller—4.

Nays—Messrs. Albertson, Bennett, Blanchard, Chapman, Griffey Holladay Kennedy and Porter—8.

So the Council refused to pass the bill.

Council File No. 44—An act to incorporate Platte Lodge No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska territory.

On motion of Mr. Chapman the further consideration of the bill was indefinitely postponed.

House File No. 61—An act to authorize William A. Toffelmire and Garrett N. Martindale to erect a mill-dam across Muddy creek, in Richardson county, Nebraska Territory.

Mr. Allen moved that the bill be read a third time, now.

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, Blanchard, Chapman, Holladay, McCasland and Miller—7

Nays—Messrs. Albertson, Bennett, Griffey, Kennedy and Porter—5.

So the bill was ordered to a third reading.

Bill read third time.

Upon the question, shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, Blanchard, Chapman, Holladay, McCasland and Miller—7.

Nays—Messrs. Albertson, Bennett, Griffey, Kennedy and Porter—5.

So the bill passed.

Title agreed to.

House File No. 98—An act to authorize George P. Tucker to erect and keep a mill-dam across Tucker creek, in Johnston county, Nebraska Territory.

Mr. Porter moved that the further consideration of the bill be indefinitely postponed.

On which question the yeas and nays were demanded.

Yeas—Messrs. Albertson, Bennett, Blanchard, Griffey, Holladay, Kennedy and Porter—7.

Nays—Messrs. Allen, Bayne, Chapman, McCasland and Miller—5.

So the bill was indefinitely postponed.

House File No. 85—An act to amend an act entitled "an act to incorporate the city of Florence," approved March 15, 1855.

On Motion of Mr. Porter the bill was re-committed to a select committee.

Messrs. Porter, Kennedy and Blanchard were appointed said committee.

Mr. Holladay, from the committee on enrolled bills, reported that the committee had examined and compared

Council File No. 3—An act respecting official bonds and oaths.

Council File No. 1—An act to make provision for the insane of Nebraska.

And find the same truly enrolled.

And after having the same signed by the Speaker of the House, President of the Council, and endorsed by the Chief Clerk of the Council, presented the same to the Acting Governor for his approval, at one o'clock P. M. this 7th day of Februay, 1865.

The following bills of the House were read a first and second time, and committed, as follows:

House File No. 49—An act to provide for an estray law.

Committed to the committee on agriculture.

House File No. 39—An act further to regulate the practice and proceeding in chancery.

Committed to a select committee consisting of Messrs. Mason and Bennett.

House File No. 69—An act to encourage agriculture, promote the growth of timber, and restrain stock from running at large in certain counties in the Territory of Nebraska.

Committed to the committee on agriculture.

Mr. Allen, from the select committee on that subject, on leave given, reported

Council File No. 43—Memorial and joint resolution relative to the Department of the Plains.

With an amendment by way of substitute.

The amendment was adopted.

Bill read third time, passed unanimously, and title agreed to.

Council proceeded to the consideration of the resolutions attached to the report of the committee on elections.

Mr. Miller moved that the president of the Council be excused from attendance for a few hours.

Which was not agreed to.

Mr. Bennett moved that the Council do now adjourn.

Which was not agreed to.

The Council resolved itself into committee of the whole on said resolutions, Mr. Chapman in the chair.

After some time the committee arose, and by their chairman reported that they had made some progress therein, and asked leave to sit again.

Mr. Holladay moved that the report be adopted.

Pending which,

Mr. Griffey, on leave given, offered the following resolution:

Resolved, That it is the sense of this Council that the seat of Corrington Blanchard, contested by Henry T. Clarke, is absolutely vacant, and that neither contestant nor contesttee is entitled to a seat upon this floor.

Mr. Griffey moved that the Council proceed to the second reading and consideration of the resolution, now.

Which was agreed to.

The question being on the adoption of the resolution.

Mr. Allen moved that the Council do now adjourn,

Which was not agreed to.

Mr. Allen moved to lay the resolution upon the table.

Upon a division, the Council being equally divided, the President voted in the negative.

So it was not agreed to.

The question recurring upon the adoption of the resolution,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bayne, Bennett, Griffey, Kenndey and Porter—6.

Nays—Messrs. Allen, Chapman, Holladay, McCasland and Miller—5.

Mr. Allen called upon the Chair to vote.

The Chair declared the resolution adopted, and decided that the President is not compelled to vote.

Mr. Allen appealed from the decision of the Chair.

Pending which,

Mr. Griffey moved that the council do now adjourn,

Which was not agreed to.

Mr. Porter moved that the Council do now adjourn,

Which being agreed to, the Council stood adjourned until 10 o'clock to-morrow morning.

COUNCIL CHAMBER,
Wednesday, February 8, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called—Absent, Messrs. Griffey and Porter.

Journal read and approved.

Mr. Miller proposed to introduce

Council File No. —. An act for the increase of the pay of Nebraska volunteers.

Mr. Kennedy objected, that this bill is the same subject matter as a bill,

Council File No. 42, which has been indefinitely postponed.

The Chair ruled that the subject matter of this bill is the same as that of the bill indefinitely postponed on the 6th inst. and that under the 12th joint rule it will require a vote of two-thirds for leave to introduce it.

Mr. Miller appealed from the decision.

On the question, shall the decision of the Chair stand as the judgment of the House?

Being put,

The decision of the Chair was sustained.

Whereupon,

Mr. Miller asked leave to introduce the bill.

The yeas and nays were demanded.

Yeas—Messrs. Allen, Bayne, Chapman, Holladay, McCasland and Miller—6.

Nays—Messrs. Albertson, Bennett, Griffey, Kennedy and Porter—5.

So leave to introduce the bill was refused.

Mr. Kennedy, on leave given, introduced

Council File No. 45—An act to amend an act entitled "an act to allow the funding of the indebtedness of the Territory."

Read twice and committed to the committee on the judiciary.

Mr. Bennett, on leave given, introduced

Council File No. 46—An act to authorize the city council of Nebraska City to fund the indebtedness of said city, and to create a special wharf fund.

Read twice, and committed to a select committee.

On motion, Messrs. Bennett and Mason were appointed said committee.

Mr. Allen, on leave given, offered the following resolution:

Resolved, That rule 25 of the Council rules be so amended as to read as follows:

Every bill shall receive three readings previous to being passed, and the President shall give notice at each reading whether it be the first, second or third, which readings shall be on three different days, unless two-thirds of the Council shall otherwise direct; and all resolutions to which the approbation and signature of the Governor may be requisite, or which may grant money out of the contingent, or any other fund, shall be treated in all respects, in the introduction and form of proceedings on them, in the Council, in a similar manner with bills. All other resolutions shall lie on the table one day, for consideration, and also reports of committees, unless by a two-third vote the Council shall otherwise order.

Laid over under the rule.

Mr. Miller, on leave given, offered the following joint resolutions:

Whereas, The Governor of this Territory, Hon. Alvin Saunders, in his annual message to the Legislative Assembly, at the beginning of the present session, intimated that he would not ask for a re-appointment on the expiration of his present term of office,

And Whereas, The Legislative Assembly heartily endorse the general policy of his administration, and entertain the fullest confidence in his integrity and patriotism as a man and as a public officer; therefore,

Be it resolved by the Council and House of Representatives of the Territory of Nebraska, That His Excellency, the President of the United States, be respectfully, but urgently, requested to re-appoint our present worthy Executive for the ensuing four years.

And whereas, On the incoming of the new Administration on the fourth of March next, it may be reasonably expected that changes will be made in many of the offices to be filled by appointment from the National Executive,

And whereas, Hon. Algernon S. Paddock, Secretary of this Territory, by his able, impartial and satisfactory discharge of the duties of that office, is entitled to the confidence of the people as coming fully up to the standard of "honest, faithful and capable;" therefore,

Be it further resolved by the Council and House of Representatives of the Territory of Nebraska, That the President of the United States be, and he hereby is, respectfully requested to continue him in the office which he now holds, on the expiration ot his present term.

Mr. Miller moved that the Council proceed to the second reading and consideration of the resolutions.

Mr. Allen moved to lay the resolutions on the table.

Mr. Miller moved to lay that motion on the table.

On which latter question, the Council being equally divided, the Chair voted in the affirmative.

So the motion to lay the resolutions on the table was laid upon the table.

Mr. Mason moved to postpone the further consideration of the resolutions until to-morrow.

Mr. Allen moved to lay that motion on the table.

Which latter motion was not agreed to.

The question recurring, that the further consideration of the resolutions be postponed till to-morrow,

It was agreed to.

On motion of Mr. Kennedy

Ordered, that the Council take a recess for one hour.

AFTER RECESS.

Mr. Bennett, from the select committee on that subject, on leave given, reported

House File No. 39—An act to further regulate the practice and proceedings in chancery.

Without amendment.

The Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

A messages from the house, by Mr. Taffe, their chief clerk:

Mr. President:

I am instructed to inform your honorable body that the House has passed,

Council File No. 15—An act to revise and consolidate the several acts relative to the city of Omaha, and for other purposes.

Council File No. 23—An act to provide for the funding of the warrants of Otoe county.

Council File No. 24—An act to incorporate Columbus, in Platte county, in the Territory of Nebraska.

Council File No. 36—An act to legalize the election of municipal officers of De Soto for the year 1864, and for other purposes.

Without amendment; and

Council File No. 16—An act to regulate the appointment and duties of receivers,

With amendments thereto attached.

House File No. 32—An act to dissolve the bonds of matrimony between George Worden and Louisa O. Worden.

House File No. 57—An act to further define the duties of county treasurers.

House File No. 60—An act to amend section thirteen of an act entitled "an act in relation to insurance companies," approved February 15, 1864.

House File No. 63—An act to incorporate Lancaster seminary.

House File No. 66—An act to authorize the formation of companies for the detection and apprehension of horse thieves.

House File No. 88—An act to attach the Sac and Fox Reserve to, and make it part of the county of Richardson.

House File No. 96—An act to encourage the growth of timber.

House File No. 103—An act to authorize N. H. Carter to make a toll-road in Polk county.

House File No. 104—An act to authorize John Oak to erect a mill-dam across Logan creek, in Burt county.

House File No. 105—An act to allow the city council of De Soto to establish and keep a ferry across the Missouri river, in Washington county, Nebraska.

House File No. 112—An act to amend an act entitled "an act to create the office of precinct assessors," approved January 10, 1861.

House File No. 114—An act to amend an act entitled "an act to restrain sheep from running at large within the limits of Pawnee county.

House File No. 115—An act to repeal an act entitled "an act allowing sheep to run at large in Decatur precinct, Burt county," approved February 13, 1864.

And the concurrence of the Council is respectfully requested.

I also return herewith, in compliance with the request of your honorable body,

House File No. 58—An act to incorporate Platte Lodge, No. 7, of the Independent Order of Odd Fellows, located at Plattsmouth, Cass county, Nebraska Territory.

A message from the acting Governor, by Mr. Knox, his private Secretary:

EXECUTIVE CHAMBER,
Omaha, Feb'y 8, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the acting Governor to return to your honorable body an act entitled

An act to provide for the insane of Nebraska.

And to announce the following message, containing his objections thereto.

R. S. KNOX,
Private Secretary.

EXECUTIVE OFFICE,
Omaha, Feb'y 8, 1865.

Gentlemen of the Council:

I return to your honorable body an act entitled "an act to provide for the insane of Nebraska," with my objections to the same.

Section six of this act requires the Governor of the Territory to supply insane patients sent by him to an insane asylum in another State certain kinds, quantities of clothing, &c., limiting him to the list named in said section. I would suggest that it would be better to direct the Governor to furnish exactly such articles as are required by the rules and regulations of the institution to which these patients are sent. Every asylum of this character has its own regulations for the dress, as well as for the habits and conduct of the patients entrusted to its care. Our patients would be compelled to conform in all respects to those rules; and this law, giving to the Governor the authority to contract for the care and treatment of these unfortunate persons, should require him to provide in his contract that they shall, in respect to dress, and all other comforts, be placed on the same footing with the patients of the State under whose laws the asylum is established.

A part of section seven is objectionable for the very obvious reason that it is not competent for us to dictate instructions to the officers of another State concerning the performance of official duties under the laws of that State.

This act is, in all other respects, a most excellent one, and with the slight changes in the two sections named, will receive the hearty sanction of this department.

Very respectfully, your obedient servant,

A. S. PADDOCK,
Acting Governor of Nebraska.

After some time the committee arose, and by their chairman, reported the bill, with sundry amendments.

The amendments were adopted.

Council File No. 16—An act to regulate the appointments and duties of receivers.

The amendments of the house was concurred in.

The following bills of the house were read a first and second time, and committed as follows:

House File No. 32—An act to dissolve the bonds of matrimony between George Worden and Louisa O. Worden.

Committed to the committee on the judiciary.

House File No. 57—An act to further define the duties of county treasurers.

Committed to the committee on corporations.

House File No. 60—An act to amend section thirteen of an act entitled "an act relative to insurance companies," approved February 15, 1864.

Committed to the committee on corporations.

House File No. 63—An act to incorporate Lancaster Seminary.

Committed to the committee on education.

House File No. 66—An act to authorize the formation of companies for the detection and apprehension of horse thieves.

Committed to the committee on the judiciary.

House File No. 88—An act to attach the Sac and Fox reserve to, and make it part of the county of Richardson.

Committed to the committee on the judiciary.

House File No. 96—An act to encourage the growth of timber.

Committed to the committee on agriculture.

House File No. 103—An act to authorize N. H. Carter to make a toll road in Polk county.

Committed to the committee on highways.

House File No. 104—An act to authorize John Oak to erect a mill-dam across Logan creek, in Burt county.

Committed to the committee on corporations.

House File No. 105—An act to allow the city council of De Soto to establish and keep a ferry across the Missouri river, in Washington county, Nebraska.

Committed to a select committee, consisting of Messrs Allen, Griffey and Holladay.

House File No. 112—An act to amend an act entitled "an act to create the office of precinct assessor," approved January 10, 1861.

Committed to the committee on the judiciary.

House File No. 114—An act to amend an act entitled "an act to restrain sheep from running at large within the limits of Pawnee county.

Committed to the committee on agriculture.

House File No. 115—An act to repeal an act entitled "an act allowing sheep to run at large in Decatur precinct, Burt county," approved February 13, 1864.

Committed to a select committee, consisting of Messrs. Allen, Griffey and McCasland.

Mr. Bennett moved that

Council File No. 1—An act to make provision for the insane of Nebraska,

Together with the message of the acting Governor, containing his objections thereto, be committed to a joint committee of two on the part of the Council, to confer with a like committee of the House, upon amendments to said bill.

Which was agreed to.

On motion of Mr. Griffey, Messrs. Mason and Bennett were appointed said committee on the part of the Council.

Mr. Kennedy, on leave given, offered the following resolution, which was read twice, considered and adopted.

Whereas, The Council, on the —— day of ——, 1865, passed a resolution authorizing 3000 copies of the Governor's message and accompanying documents to be printed for the use of the Council. Therefore,

Resolved, That the Sergeant-at-Arms be, and he hereby is, directed to obtain and distribute the number so ordered, or report the reasons for not doing so, forthwith.

On motion of Mr. Chapman, the Council adjourned till 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Thursday, February 9, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Kennedy, from the committee on the Judiciary, reported

Council File No. 45—An act to amend an act entitled, "an act to allow the funding of the indebtedness of the Territory.

Without amendment.

House File No. 57—An act to further define the duties of county treasurers.

House File No. 88—An act to attach the Sac and Fox reserve to, and make it part of the county of Richardson.

House File No. 112—An act to amend an act entitled "an act to create the office of precinct assessor," approved January 10, 1864.

Without recommendation.

Mr. Bennett, from the committee on agriculture, reported

House File No. 114—An act to amend an act to restrain sheep from running at large within the limits of Pawnee county.

Without amendment.

House File No. 49—An act to provide for an estray law.

With the recommendation that it be re-committed to the committee on the judiciary.

Mr. Porter, from the select committee on that subject, reported

House File No. 85—An act to amend an act entitled "an act to incorporate the city of Florence," approved March 15, 1855.

With an amendment by way of substitute therefor.

Mr. Allen, from the select committee on that subject, reported

House File No. 105—An act to allow the city council of De Soto to establish and keep a ferry across the Missouri river, in Washington county, Nebraska.

Without amendment.

Resolutions being now in order,

The Council proceeded to the second reading and consideration of the resolution offered yesterday by Mr. Allen, to amend the 25th rule of Council.

Mr. Bennett moved a call of the House,

Which was ordered,

Absent, Messrs. Bayne and Chapman.

On Motion of Mr. Holladay,

Ordered, that the Sergeant-at-Arms be despatched after the absentees.

Mr. Bayne and Chapman having entered within the bar of the House, were excused, being engaged on urgent committee business.

On motion of Mr. Kennedy,

All further proceedings under the call were dispensed with.

The question recurring on the resolution

It was agreed to, and

Ordered, that the 25th rule be so amended.

Council proceeded to the consideration of the joint resolutions offered yesterday, by Mr. Miller.

The question being on the first resolution, together with the preamble,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Chapman, Holladay, McCasland Miller and Porter—9.

Nays—Messrs. Griffey and Kennedy—2.

So the first resolution was agreed to.

The question now being on the second resolution, together with the preamble,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Chapman, Holladay, McCasland, Miller and Porter—9.

Nays—Messrs. Griffey and Kennedy—2.

So the second resolution was agreed to.

Mr. Miller, from the committee on education, on leave given, reported

House File No. 63—An act to incorporate Lancaster seminary.

Without amendment.

Mr. Kennedy presented the following communication from the Sergeant-at-Arms,

Which was laid upon the table.

Mr President:

SIR—According to the resolution of the Council of yesterday, ordering me forthwith to ascertain the cause of certain documents not being delivered, I made inquiry relative to said documents, and find them all ready for delivery to-day at 12 o'clock, M., February 9th, 1865.

SAMUEL GAMBLE,
Sergeant-at-Arms.

Mr. Kennedy, on leave, introduced

Council File No. 47—An act to amend Chap. 12 of an act entitled "an act to revise and consolidate the laws of a general nature passed at the second session of the legislative assembly of this territory," approved February 15, 1864.

Read first, second and third time, passed and title agreed to.

House File No. 112—An act to amend an act entitled "an act to create the office of precinct assessors," approved January 10, 1864.

Mr. Allen moved that the further consideration of the bill be indefinitely postponed.

Which was agreed to; so the bill was indefinitely postponed.

House File No. 57—An act to further define the duties of county treasurers.

On motion of Mr. Holladay.

The further consideration of the bill was indefinitely postponed.

Mr. Chapman, from the committee on corporations, on leave given, reported

House File No. 60—An act to amend section thirteen of an act entitled "an act in relation to insurance companies," approved February 15, 1864.
Without amendment.
Read third time, passed and title agreed to.

Council File No. 45—An act to amend an act entitled "an act to allow the funding of the indebtedness of the Territory."
Read third time, passed and title agreed to.

House File No. 39—An act further to regulate the practice and proceedings in chancery.
Read third time, passed and title agreed to.

House File No. 63—An act to incorporate Lancaster seminary.
Mr. Miller moved that the bill be read a third time, now.
The yeas and nays were demanded.
Yeas—Messrs. Allen, Bayne, Chapman, Holladay, McCasland and Miller—6.
Nays—Messrs. Albertson, Bennett, Griffey Kennedy and Porter—5.
The President voting in the negative,
It was not agreed to.
Mr. Allen moved that the bill be re-committed to a select committee consisting of Messrs Miller and Holladay.
Mr. Miller moved the previous question,
Which was ordered, and under the operation thereof the bill was so recommitted.

House File No. 85—An act to amend an act entitled "an act to incorporate the city of Florence," approved March 15, 1855.
Mr. Kennedy moved that the bill be read a third time, now.
Mr. Holladay moved the previous question,
Which was ordered, and under the operation thereof the bill was read a third time, passed and title agreed to.

On motion of Mr. Porter, Mr. Griffey was excused from attendance until 2 o'clock P. M.

House File No. 114—An act to amend an act entitled "an act to restrain sheep from running at large within the limits of Pawnee county."
Read third time, passed and title agreed to.

House File No. 105—An act to allow the city council of De Soto to establish and keep a ferry across the Missouri river, in Washington county.
Re-committed to a select committee consisting of Mr. Allen.

House File No. 88—An act to attach the Sac and Fox reserve to, and make it a part of the county of Richardson.

On motion of Mr. Kennedy the further consideration of the bill was indefinitely postponed.

House File No. 49—An act to provide for an estray law.
Mr. Miller moved that the report of the committee be adopted.
Mr. Bennett moved to re-commit the bill to the committee on the judiciary.
Which latter motion was agreed to,
And the bill was so re-committed.

On motion of Mr. Chapman the Council took a recess until three o'clock, P. M.

AFTER RECESS.

Mr. Bennett, from the joint committee on that subject, on leave given, reported, by bill,
Council File No. 48—An act to make provision for the insane of Nebraska.
Which was read twice, and ordered to be engrossed.

Mr. Bennett, from the select committee on that subject, on leave given, reported
Council File No. 46—An act to authorize the city council of Nebraska City to fund the indebtedness of said city, and to create a special wharf fund,
Without amendment.

Mr. Allen, from the select committee on that subject, on leave given, reported
House File No. 105—An act to allow the city council of De Soto to establish and keep a ferry across the Missouri river, in Washington county, Nebraska,
With amendments.
The amendments were adopted.
Mr. Allen moved that the bill be read a third time now.
On which question
The yeas and nays were demanded.
Yeas—Messrs. Allen, Bayne, Chapman, McCasland and Miller—5.
Nays—Messrs. Albertson, Bennett, and Kennedy—3.
Bill read a third time, passed and title agreed to.

Council File No. 46—An act to authorize the city council of Nebraska City to fund the indebtedness of said city, and to create a special wharf fund.
Mr. Bennett moved that the bill be read a third time, now.
On which question,
The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Chapman Kennedy, McCasland, Miller and Porter—9.

Nays—None.

So the bill was ordered to a third reading.

Bill read a third time, passed and title agreed to.

On motion of Mr. Miller the Sergeant-at-Arms was excused from attendance this afternoon.

Mr. Bayne moved that the Council proceed to the consideration of

House File No. 65—An act to amend an act entitled "an act to incorporate Falls City, Nebraska," approved January 13, 1860.

Which motion was agreed to.

Bill read third time, passed and title agreed to.

A message from the House, by Mr. Taffe their chief clerk.

HOUSE OF REPRESENTATIVES,
February 8, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

Council File No. 37—An act to vacate the town site of Plattford, in Sarpy county, Nebraska.

Council File No. 41—Joint memorial and resolutions respecting an insane asylum in Nebraska.

Without amendment.

Also,

House File No. 74, (substitute for House File No. 74)—An act to locate a territorial road from Forrest City, in Sarpy county, to the south line of Lancaster county.

House File No. 80—An act to vacate a portion of the town site of Salem, in the county of Richardson, Nebraska Territory.

House File No. 86—An act to incorporate the Loup Fork Bridge company.

House File No. 120—An act to restrain stock from running at large in Delaware, Syracuse, McWilliams and Hendricks precincts, Otoe county, Territory of Nebraska.

House File No. 121—An act to open and drain coal mines.

House File No. 124—Joint resolution relative to the protection of commerce and emigration on the plains.

And the concurrence of the Council is requested.

I am also instructed to inform your honorable body that the House, in response to your request, has appointed Messrs. Maxwell, Brown and McCandlish to act with the committee appointed by the Council, in relatien to

Council File No. 1—An act to make provision for the insane of Nebraska,

And the objections of the acting Governor thereto.

A message from the acting Governor, by Mr. Knox, his private secretary:

EXECUTIVE CHAMBER,
February 9, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the acting Governor to inform your honorable body that he has approved and signed,

"An act respecting official bonds and oaths."

"An act to legalize the election of municipal officers of De Soto, for the year 1864, and for other purposes."

"An act to designate the time for electing Territorial Auditor and Treasurer."

R. S. KNOX,
Private Secretary.

Mr. Chapman moved a call of the House,

Which was ordered.

Absent—Mr. Miller.

On motion of Mr. Bayne, the Sergeant-at-Arms was dispatched after the absentee.

Mr. Miller having been admitted within the bar of the House,

On motion of Mr. Allen, all further proceedings under the call were dispensed with.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 30—An act to revise and amend an act entitled "an act providing for the better regulation of schools in Nebraska."

Correctly engrossed.

The following bills from the House were read twice, and committed as follows:

House File No. 74—An act to locate a territorial road from Forest City, in Sarpy county, to the south line of Lancaster county.

Committed to the committee on highways.

House File No. 80—An act to vacate a portion of the town site of Salem, in the county of Richardson, Nebraska Territory.

Committed to the committee on the judiciary.

House File No. 86—An act to incorporate the Loup Fork bridge company.

Committed to the committee on corporations.

House File No. 120—An act to restrain stock from running at large in Delaware, Syracuse, McWilliams and Hendricks precincts, Otoe county, Territory of Nebraska.

Committed to the committee on agriculture.

House File No. 121—An act to open and drain coal mines.

Committed to the committee on the judiciary.

House File No. 124—Joint resolution relative to the protection of commerce and emigration on the plains.

Committed to the committee on federal relations.

Council File No. 30—An act to revise and amend an act providing for the better regulation of schools in Nebraska.

Read third time, passed and title agreed to.

Mr. Allen, on leave given, presented the petition of F. Welch, and thirty-six others, citizens of Decatur precinct, Burt county, praying for the repeal of an act of last session, allowing sheep to run at large in said precinct.

Referred to the committee on agriculture.

On motion of Mr. Porter the Council adjourned until to-morrow morning at 10 o'clock.

COUNCIL CHAMBER,
Friday, February 10, 1865.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Journal read and approved.

Mr. Bennett, from the committee on agriculture, reported
House File No. 96—An act to encourage the growth of timber,
With a negative recommendation.

Mr. Holladay, from the committee on engrossed bills, reported
Council File No. 48—An act to provide for the insane of Nebraska.
Correctly engrossed.

Mr. Kennedy, from the committee on the judiciary, reported

House File No. 32—An act to dissolve the bonds of matrimony between George Warden and Louisa O. Warden.

House File No. 49—An act to provide for an estray law.

Without recommendation.

House File No. 66—An act to authorize the formation of companies for the detection and apprehension of horse thieves.

With the recommendation that the further consideration thereof be indefinitely postponed,

House File No. 80—An act to vacate a portion of the town site of Salem, in the county of Richardson, Nebraska Territory.

Without amendment.

Mr. McCasland, from the committee on federal relations, reported

House File No. 124—Joint resolution relative to the protection of commerce and emigration on the plains.
Without amendment.

A message from the House, by Mr. Taffe, their chief clerk.

HOUSE OF REPRESENTATIVES,
February 9, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed,
House File No. 130—An act entitled "an act to amend an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward.
House File No. 131—An act to make stock liable for all damages they may commit within the limits of township 13, range 9, Saunders county.

Mr. Miller, from the committee on education, reported
House File No. 63—An act to incorporate Lancaster seminary.
With amendments

Mr. Chapman, from the joint committee on that subject, reported
Council File No. 25—An act to provide for enrolling, organizing, calling into service and paying the Nebraska militia.
With an amendment by way of substitute therefor.

Mr. Holladay, from the committee on enrolled bills, reported that the committee had examined and compared bills of the following titles, viz:
Council File No. 15—An act to revise and consolidate the several acts relative to the city of Omaha, and for other purposes.
Council File No. 24—An act to incorporate Columbus, in Platte county, in the Territory of Nebarska.
And found the same truly enrolled.
And having had the same signed by the Speaker of the House, President of the Council, and endorsed by the Chief Clerk of the Council, presented the same to the acting Governor for his approval at half-past 10 o'clock, this 10th day of February, 1865.

House File No. 130—An act entitled "an act to amend an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward.
Read twice, and committed to the committee on agriculture.

House File No. 131—An act to make stock liable for all damages they may commit within the limits of township 13, range 9, Saunders county.
Read twice, and committed to the committee on agriculture.

House File No. 80—An act to vacate a portion of the town site of Salem, in the county of Richardson, Nebraska Territory.
Read third time, passed and title agreed to.

House File No. 66—An act to authorize the formation of companies for the detection and apprehension of horse thieves.

On motion Mr. Holladay the further consideration of the bill was indefinitely postponed.

House File No. 124—Joint resolution relative to the protection of commerce and emigration on the plains.

Mr. Kennedy moved to amend by striking out the words "President of the" in the 4th line of the preamble.

Which was agreed to.

Bill as amended read third time, passed and title agreed to.

House File No. 32—An act to dissolve the bonds of matrimony between George Worden and Louisa O. Worden.

The Council resolved itself into committee of the whole on said bill, Mr. Porter in the chair.

After some time the committee arose, and by their chairman, reported the bill, without amendments.

On motion of Mr. Miller the further consideration of the bill was indefinitely postponed.

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

Council resolved itself into committee of the whole on said bill and the last substitute reported therefor, Mr. Chapman in the chair.

After some time the committee arose, and by their chairman reported the bill, with sundry amendments.

The amendments were agreed to.

Ordered, that the bill be engrossed.

Mr. Bayne, from the committee on highways, on leave given, reported,

House File No. 74—An act to locate a territorial road from Forest City, in Sarpy county, to the south line of Lancaster county.

Without amendment.

House File No. 103—An act to authorize N. H. Carter to make a toll-road in Polk county.

With a negative recommendation.

House File No. 49—An act to provide for an estray law.

Mr. Bayne moved that the bill be read a third time, now.

On which question

The yeas and nays were demanded.

Pending which,

Mr. McCasland moved a call of the house,

Which was not agreed to.

Mr. Allen moved a call of the house,

Which was ordered.

Absent, Mr. Griffey.

Mr. Griffey appearing at the bar,

On motion of Mr. Kennedy all further proceedings under the call were dispensed with.

The yeas and nays being ordered, were as follows:
Yeas—Messrs. Albertson, Bayne, Griffey, McCasland, and Porter—5.
Nays—Messrs. Allen, Bennett, Chapman, Holladay, Kennedy and Miller—6.
So the Council refused to order the bill to a third reading, now.

House File No. 96—An act to encourage the growth of timber.
On motion Mr. Griffey, the further consideration of the bill was indefinitely postponed.

House File No. 63—An act to incorporate the Lancaster seminary.
The amendments proposed by the committee on education were agreed to.
Mr. Miller moved that the bill be read a third time, now.
On which question,
The yeas and nays were demanded.
Yeas—Messrs. Allen, Bayne, Chapman, Griffey, Holladay and Miller—6.
Nays—Messrs. Albertson, Bennett, Kennedy, McCasland and Porter—5.
The bill was ordered to a third reading.
Being so read,
Upon the question, shall the bill pass?
The yeas and nays were demanded.
Yeas—Messrs. Allen, Bayne, Chapman, Holladay, and Miller—5.
Nays—Messrs. Albertson, Bennett, Griffey, Kennedy, McCasland and Porter—6.
So the Council refused to pass the bill.

Mr. Chapman, from the committee on corporations, on leave given, reported,
House File No. 104—An act to authorize John Oaks to erect and keep a mill-dam across Logan creek, in Burt county.
With a negative recommendation.
Laid over for the present, by consent.

House File No. 103—An act to authorize N. H. Carter to make a toll-road, in Polk county.
Read third time.
The question being, shall the bill pass?
The yeas and nays were demanded.
Yeas—Messrs. Allen, Chapman and Miller—3.
Nays—Messrs. Albertson, Bayne, Bennett, Griffey, Holladay Kennedy. McCasland and Porter—8.
So the Council refused to pass the bill.

House File No. 74—An act to locate a territorial road from Forest City, in Sarpy county, to the south line of Lancaster county.

Mr. Griffey moved that the bill be read a third time, now.

On which question,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Allen, Bayne, Chapman, Griffey, Holladay, Kennedy, Miller and Porter—9.

Nays—Messrs. Bennett, and McCasland—2.

So the bill was ordered to a third reading, now.

Read third time, passed and title agreed to.

Council File No. 48—An act to make provision for the insane of Nebraska.

Read third time, passed and title agreed to.

On motion of Mr. Kennedy the Council adjourned until 10 o'clock tomorrow morning.

COUNCIL CHAMBER,
Saturday, February 11, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called—Absent, Mr. Griffey.

Journal read and approved.

Mr. Allen presented the remonstrance of Isham Reavis and twenty-two others, citizens of Falls City, Richardson county, against the repeal of the charter of that city.

Laid on the table.

Mr. Bayne presented the petition of J. G. Good, and twelve others, citizens of Falls City, Richardson county, praying for the repeal of the charter of Falls City.

Laid on the table.

Mr. Bennett, from the committee on agriculture, reported

House File No. 131—An act to make stock liable for all damages they may commit within the limits of township 13, range 9, Saunders county.

Without recommendation.

On motion of Mr. Chapman,

The bill was read a third time.

Bill passed and title agreed to.

Mr. Holladay, from the committee on engrossed bills, reported

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

Correctly engrossed.

Mr. Kennedy, from the committee on the judiciary, on leave given, reported by bill

Council File No. 49—An act relative to the competency of witnesses in certain cases.

By unanimous consent, read first, second and third time, passed and title agreed to.

Mr. Allen, from the select committee on that subject, reported

House File No. 115—An act to repeal an act entitled "an act to restrain sheep from running at large in Decatur precinct, Burt county," approved February 13, 1864.

Without amendment.

House File No. 49—An act to provide for an estray law.

Read third time, passed and title agreed to.

House File No. 104—An act to authorize John Oak to erect a mill-dam across Logan creek, in Burt county.

Mr. Allen moved that the bill be read a third time, by its title, and put upon its passage.

Which was not agreed to.

Mr. Miller moved that the further consideration of the bill be indefinitely postponed.

On which question,

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bennett, Chapman, Griffey, Holladay, Kennedy, Miller and Porter—8.

Nays—Messrs. Allen, Bayne, McCasland,—3.

So the bill was indefinitely postponed.

Council File No 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

Read third time, passed and title agreed to.

Mr. Chapman, from the committee on corporations, on leave given, reported

House File No. 86—An act to incorporate the Loupe Fork Bridge Company.

Without recommendation.

Council resolved itself into committee of the whole on said bill, Mr. Kennedy in the chair.

After some time the committee arose, and by their chairman reported the bill, with an amendment by way of substitute therefor.

The amendment was adopted.

Ordered, that said amendment be engrossed.

Mr. Holladay, from the committee on enrolled bills, reported bills of the following titles, truly enrolled.

Council File No. 41—Joint memorial and resolution respecting an insane asylum in Nebraska.

Council File No 37—An act to vacate the town site of Plattford, in Sarpy county, Nebraska.

And having had the same signed by the speaker of the House and President of the Council, and endorsed by the Chief Clerk of the Council, presented the same to the acting Governor for his approval, at half past 10 o'clock A. M., this 11th day of February, 1865.

A message from the House, by Mr. Taffe, their chief clerk:

HOUSE OF REPRESENTATIVES,
February 10, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed

Joint resolutions from the Council, in relation to the re-appointment of the Governor and Secretary of the Territory of Nebraska, respectively, to the offices which they now hold.

*Council File No. 33—Substitute for an act to provide for revising the laws of Nebraska.

Council File No 34—An act supplemental to an act to incorporate the city of Dakota, approved November 21, 1858.

Council File No. 40—An act to amend an act entitled "an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City," approved December 31, 1857.

Without amendment.

And have concurred in Council amendments to

House File No. 39—An act further to regulate the practice and proceeding in chancery.

And have passed

House File No. 67—An act to locate a territorial road from Simpson's landing, *via* Tekamah, in Burt county, to Logan Mills, in Washington county.

House File No. 93—A bill to repeal all acts incorporating Falls City, in Richardson county.

House File No. 102, (substitute for House File No. 82)—An act to legalize certain acts of the commissioners of Cedar county.

House File No. 116—An act supplementary to an act entitled "an act to locate a territorial road from Plattsmouth city, Cass county, to intersect the territorial road immediately south of the Salt Basin, and west of Salt creek, in Lancaster county," approved January 24, 1865.

House File No. 117—An act to restrict the powers of county commissioners.

House File No. 118—An act to locate a territorial road from Brownville, to intersect the road leading from Nebraska City to Fort Kearney.

And have adopted and passed substitutes for

House File No. 123—An act to restrain bulls from running at large in the counties of Cedar, Dixon, Dakota and Pawnee and North Bend precinct, Nebraska Territory.

---

* House File No 33—The Council adopted an amendment by way of substitute to this bill, which appears to have been regarded in the House as a new bill, and to have received a new number, as of the Council File. No. 33 of the Council File related to the entry and disposal of town sites.

Substitute for House File No. 132—An act to require territorial officers to give bonds.

And have passed

House File No. 133—An act to amend at act entitled "an act to establish a territorial board of agriculture.

And have adopted and passed the substitute, herewith returned, to

Council File No. 5—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.

And the concurrence of the Council is requested.

House File No. 67—An act to locate a territorial road from Simpson's landing, *via* Tekamah, in Burt county, to Logan Mills, in Washington county.

By unanimous consent, read first, second and third time, passed and title agreed to.

House File No. 93—An act to repeal the charter and incorporation of the town of Falls City, in Richardson county, N. T.

Read twice, and committed to a select committee, consisting of Mr. Bayne.

House File No. 102, (Substitute for House File No. 82)—An act to legalize certain acts of the county commissioners of Cedar county.

By unanimous consent, read a first, second and third time, passed and title agreed to.

House File No. 116—An act supplementary to an act entitled "an act to locate a territorial road from Plattsmouth city, Cass county, to intersect the territorial road immediately south of the Salt Basin and west of Salt creek, Lancaster county," approved January 24, 1865.

Read twice, and committed to a select committee consisting of Messrs. Chapman and Miller.

House File No. 117—An act to restrict the powers of county commissioners.

Read twice, and committed to the committee on the judiciary.

House File No. 118—An act to locate a territorial road from Brownville, to intersect a road leading from Nebraska city to Fort Kearney.

Read twice, and committed to a select committee consisting of Mr. Holladay.

House File No. 123, (substitute)—An act to restrain bulls from running at large in the counties of Cedar, Dixon, Dakota and Pawnee and North Bend precinct, N. T.

Read twice, and committed to the committee on agriculture.

House File No. 132, (substitute)—An act to require territorial officers to give bonds.

By unanimous consent, read first, second and third time, passed and title agreed to.

House File No 133—An act to amend an act entitled "an act to establish a board of agriculture.

Read twice, and committed to the committee on agriculture.

Council File No. 5—An act to amend an act entitled "an act to revise an act to provide for the "valuation and assessment of real and personal property, and for the levying and collection of taxes in the territory of Nebraska," approved February 15, 1864.

The amendment, by way of substitute, made by the House to said bill, being under consideration,

The Council resolved itself into committee of the whole on said bill and House amendment, Mr. Porter in the chair.

After some time the committee arose, and by their chairman reported the same, with the recommendation that the Council disagree thereto.

Mr. Porter moved that the Council disagree to the amendment.

Which motion was agreed to.

On motion of Mr. Kennedy, the Council at 12 o'clock, M., took a recess for one hour.

AFTER RECESS.

Mr. Kennedy, from the committee on the Judiciary, on leave given, reported

House File No. 117—An act to restrict the powers of the county commissioners of Dakota county, in the Territory of Nebraska.

With the recommendation that its further consideration be indefinitely postponed.

House File No. 121—An act to open and drain coal mines.

With a negative recommendation.

Mr. Holladay, from the committee on engrossed bills, reported

The amendment, by way of substitute, to

House File No. 86—An act to incorporate the Loup Fork bridge company.

Correctly engrossed.

Mr. Holladay, from the select committee on that subject, reported

House File No. 118—An act to locate a territorial road from Brownville, to intersect the road leading from Nebraska City to Fort Kearney,

Without amendment.

Mr. Holladay moved that the bill be read a third time, now.

Mr. McCasland moved to lay that motion on the table.

Which latter motion was not agreed to.
The question recurring on ordering the bill to a third reading,
It was not agreed to.

House File No. 117—An act to restrict the powers of the county commissioners of Dakota county, in the Territory of Nebraska.
On motion of Mr. Kennedy the further consideration of the bill was indefinitely postponed.

House File No. 121—An act to open and drain coal mines.
On motion of Mr. Miller the further consideration of the bill was indefinitely postponed.

Mr. Bayne, from the select committee on that subject, on leave given, reported
House File No. 93—An act to repeal all acts incorporating Falls City, in Richardson county.
Without amendment.
Mr. Bayne moved that the bill be read a third time, now.
Which was agreed to.
Bill read third time.
The question being, shall the bill pass?
The yeas and nays were demanded.
Yeas—Messrs. Albertson, Allen, Bayne, Bennett, Chapman, Griffey, Holladay, Kenndey, McCasland and Porter—10.
Nays—Mr. Miller—1.
So the bill was passed,
Title agreed to.

House File No. 86—An act to incorporate the Loup Fork Bridge company.
The amendment, by way of substitute, being engrossed,
The bill was ordered to a third reading.
Read third time, and passed.
On motion of Mr. Kennedy the title was amended to read as follows:
"An act to amend an act to incorporate the Platte Valley Bridge Company, approved February 13, 1864."
And the title, as amended, was agreed to.

Mr. Bennett, from the committee on agriculture, on leave given, reported
House File No. 130—An act to amend an act entitled "an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward.
Without amendment.
House File No. 123—An act to restrain bulls from running at large in the counties of Cedar, Dixon, Dakota and Pawnee, and North Bend precinct, N. T.
Without recommendation.
Mr. Allen asked and obtained leave to withdraw the remonstrance of Isham Reavis, and 22 others, citizens of Falls City, against the repeal of the charter of that city.

House File No. 130—An act entitled "an act to amend an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward.
Read third time, passed and title agreed to.

House File No 123—An act to restrain bulls from running at large in the counties of Cedar, Dixon, Dakota and Pawnee, and North Bend precinct, Nebraska Territory.
Read third time, passed and title agreed to.

A message from the acting Governor, by Mr. Knox, his private Secretary:

EXECUTIVE CHAMBER,
Omaha, Feb'y 11, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the acting Governor to inform your honorable body that he has approved and signed,

"An act to provide for the funding of the warrants of Otoe county."

"An act to revise and consolidate the several acts relative to the city of Omaha, and for other purposes."

"An act to incorporate Columbus, in Platte county, in the Territory of Nebraska."

"An act to vacate the town site of Plattford, in Sarpy county, Nebraska."

"Joint memorial and resolution respecting an insane asylum in Nebraska."

R. S. KNOX,
Private Secretary.

Mr. Allen moved that the Council do now adjourn.
Which was not agreed to.

On motion of Mr. Porter, the Council, at 3 o'clock, P. M., took a recess of fifteen minutes.

AFTER RECESS.

A message from the House, by Mr. Taffe, their chief clerk.

HOUSE OF REPRESENTATIVES,
February 11, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has indefinitely postponed the further consideration of

Council File No. 30—An act to revise an act entitled "an act providing for the better regulation of schools in Nebraska."

Council File No. 46—An act to authorize the city council of Nebraska City to fund the indebtedness of said city, and to create a special wharf fund.

Council File No. 45—An act to amend an act entitled "an act to allow the funding of the indebtedness of the Territory."

Also,

That the House has passed,

Council File No. 48—An act to make provision for the insane of Nebraska.

Without amendment.

And have concurred in the amendments of the Council to

House File No. 105—An act to allow the city council of De Soto to establish and keep a ferry across the Missouri river, in Washington county, Nebraska.

House File No. 124—Joint resolution relative to the protection of commerce and emigration on the plains.

Also,

That the House has passed,

House File No. 56—An act to regulate the salaries and fees of certain officers in the territory of Nebraska.

House File No. 111—An act to amend an act entitled "an act to confirm the elective franchise to citizens residing temporarily on the Omaha and Pawnee Indian reservations," approved January 10, 1862.

House File No. 122—An act to vacate block No. 102, in the town of Ponca, in Dixon county.

House File No. 129—An act to amend section 10 of an act entitled "an act to provide for elections," approved February 15, 1864.

House File No 134—An act to amend an act entitled "an act to apportion and define Councilman districts," approved January 28, 1864.

House File No. 135—An act to amend an act entitled "an act to restain stock from running at large during the night in Pawnee county," approved February 15, 1864,

House File No. 137—An act creating the office and defining the duties of Territorial Librarian.

House File No 138, (substitute for House File No. 26)—An act to regulate the appointment of Notaries Public in the Territory of Nebraska.

And the concurrence of the Council is respectfully requested.

House File No. 111—An act to amend an act entitled "an act to confirm the elective franchise to citizens residing temporarily on the Omaha and Pawnee Indian reservations," approved January 10, 1862.

Read first time.

Mr. Chapman moved that the bill be read a second time, now.

Which motion was not agreed to.

House File No. 122—An act to vacate block No. 102, in the town of Ponca, in Dixon county.

By unanimous consent, the bill was read a first, second and third time.

Bill passed and title agreed to.

House File No. 134—An act to amend an act entitled "an act to apportion and define councilman districts," approved January 28, 1864.

Read twice, and committed to the committee on elections.

House File No. 129—An act to amend section 10 of an act entitled "an act to provide for elections," approved February 15, 1864.
Read first time.

House File No. 137—An act creating the office and defining the duties of Territorial Librarian.
Read first time.

House File No. 138—An act to regulate the appointment of Notaries Public in the Territory of Nebraska.
Read first time.
Mr. Chapman moved that the bill be read a second time, now,
Which was not agreed to.

House File No. 135—An act to amend an act entitled "an act to restrain stock from running at large, during the night, in Pawnee county," approved February 15, 1864.
Read twice, and committed to the committee on agriculture.

House File No. 56—An act to regulate the salaries and fees of certain officers in the Territory of Nebraska.
Read first and second time.
Mr. Griffey moved that the bill be referred to its appropriate committee.
Mr. Chapman moved that the Council resolve itself into committee of the whole on said bill.
The question being, first, on committing the bill to a standing committee,
It was not agreed to.
The question recurring on the motion of Mr. Chapman,
It was agreed to.
The Council resolved itself into committee of the whole on said bill, Mr. Porter in the chair.
After some time the committee arose, and by their chairman reported the bill, having come to no resolution thereon.
On motion of Mr. Chapman the bill was committed to the committee on the judiciary.

On motion of Mr. Allen the Council adjourned until 10 o'clock, on Monday morning next.

COUNCIL CHAMBER,
Monday, February 13, 1865.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called—Absent, Messrs. Chapman, Griffey, Holladay and Miller.

Journal read and approved.

Mr. Kennedy, from the committee on the judiciary, made a report in writing, as follows:

Mr. President:

Your committee on the judiciary, to whom was committed

House File No. 56—An act to regulate the salaries and fees of certain officers in the Territory of Nebraska,

Having given the same their careful consideration, submit the following report thereon:

In the judgment of your committee the bill under consideration, with a few exceptions, is an improvement upon the present law on the subject, and with a modification of the exceptionable matters, your committee would respectfully recommend the passage of the bill.

With a view of bringing these particular matters before the Council, your committee has placed a pencil mark in the margin opposite each section and item which they have regarded as worthy the attention of the Council, before the passage of the bill.

All of which is respectfully submitted.

B. E. B. KENNEDY, *Chairman.*

A message from the House, by Mr. Taffe their chief clerk.

HOUSE OF REPRESENTATIVES,
February 13, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

Substitute of the Council to House File 86, entitled "an act to amend an act to incorporate the Platte Valley Bridge Company," approved February 13, 1864.

Council File No. 49—An act relative to the competency of witnesses.

Without amendment.

And that the House insists upon its amendments made to, and presented by way of substitute, for

Council File No. 5—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of the real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.

Also,

That the House has passed

House File No. 59—An act to confer further power on county commissioners.

House File No. 79—Substitute for an act to amend an act entitled "an act to restrain stock from running at large, during the night, in Pawnee county."

House File No. 141—An act for the relief of Alonzo V. Porter.

House File No. 139—An act to restrain stock from running at large in certain portions of Douglas county, Nebraska Territory.

House File No. 119—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.

House File No. 140—An act relating to schools in Wyoming City, Otoe county, Territory of Nebraska.

And the concurrence of the Council is respectfully requested.

Mr. Bennett, on leave given, introduced

Council File No. 50—An act to repeal an act entitled "an act to incorporate the South Nebraska Railroad company," approved January 11, 1861.

By unanimous consent, read first, second and third time.

Bill passed and title agreed to.

House File No. 111—An act to amend an act entitled "an act to confirm the elective franchise to citizens residing temporarily on the Omaha and Pawnee reservations," approved January 10, 1862.

Read second time.

Mr. Allen moved that the bill be committed to its appropriate committee.

Upon a division, the Council being equally divided, the President voted in the affirmative.

So it was agreed to.

The bill was committed to the committee on elections.

House File No. 129—An act to amend section 10 of an act entitled "an act to provide for elections," approved February 15, 1865.

Read second time, and committed to the committee on elections.

House File No. 138—An act to regulate the appointment of Notaries Public in the Territory of Nebraska.

Read second and third time.

Bill passed and title agreed to.

House File No. 137—An act creating the office and defining the duties of Territorial Librarian.

Read second time.

Mr. Porter moved that the bill be read a third time, now.

Mr. Allen moved a call of the house,

Which was ordered.

Absent, Mr. Griffey.

On motion of Mr. Porter all further proceedings under the call were dispensed with.

The question recurring on the motion of Mr. Porter, to read the bill a third time, now.
Two-thirds not voting in the affirmative,
It was not agreed to.

House File No. 115—An act to repeal an act entitled "an act allowing sheep to run at large in Decatur precinct, Burt county," approved February 13, 1864.
Read third time, passed and title agreed to.

House File No. 119—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.
Read twice, and committed to the committee on finance.

House File No. 139—An act to restrain stock from running at large in certain portions of Douglas county, Nebraska Territory.
By unanimous consent, read first, second and third time.
Bill passed and title agreed to.

House File No. 141—An act for the relief of Alonzo V. Porter.
Read first time.
On motion of Mr. Bayne, read a second and third time,
Bill passed and title agreed to.

House File No. 79—An act to amend an act entitled "an act to restrain stock from running at large, during the night, in Pawnee county.
Read first time.
On motion of Mr. Holladay, read a second and third time,
Bill passed and title agreed to.

House File No. 59—An act to confer further power on county commissioners.
Read first time.
Mr. Kennedy moved that the bill be read a second and third time, now.
Two-thirds not voting in the affirmative,
It was not agreed to.

House File No. 140—An act relating to schools in Wyoming City, Otoe county, Territory of Nebraska.
Read first time.
On motion of Mr. Bennett, the bill was read a second and third time.
Bill passed and title agreed to.

Council File No. 5—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.

The House having insisted on their amendment, by way of substitute to this bill, to which the Council, on yesterday, disagreed.

On motion of Mr. Allen the Council adhered to their disagreement.

Mr. Bennett, from the committee on agriculture, on leave given, reported

House File No. 69—An act to encourage agriculture, promote the growth of timber, and restrain stock from running at large in certain counties in the Territory of Nebraska.

House File No. 120—An act to restrain stock from running at large in Delaware, Syracuse, McWilliams and Hendricks precincts, Otoe county, Territory of Nebraska.

With a negative recommendation.

House File No. 135—An act to amend an act entitled "an act to restrain stock from running at large, during the night, in Pawnee county," approved February 15, 1864.

House File No. 133—An act to amend an act entitled "an act to establish a territorial board of agriculture.

Without amendment.

House File No. 118—An act to locate a territorial road from Brownville to intersect the road leading from Nebraska City to Fort Kearney.

Read third time, passed and title agreed to.

House File No. 133—An act to amend an act entitled "an act to establish a territorial board of agriculture.

Read third time, passed and title agreed to.

House File No. 135—An act to amend an act entitled "an act to restrain stock from running at large, during the night, in Pawnee county," approved February 15, 1864.

Read third time, passed and title agreed to.

House File No. 69—An act to encourage agriculture, promote the growth of timber and restrain stock from running at large in certain counties in the Territory of Nebraska.

On motion of Mr. Bennett the further consideration of the bill was indefinitely postponed.

House File No. 120—An act to restrain stock from running at large in Delaware, Syracuse, McWilliams and Hendricks precincts, Otoe county, Territory of Nebraska.

On motion of Mr. Bennett, the further consideration of the bill was indefinitely postponed.

House File No. 56—An act to regulate the salaries and fees of certain officers in the Territory of Nebraska.

The Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman, reported the bill, with sundry amendments.

The amendments were agreed to.

Bill read a third time, passed and title agreed to.

On motion of Mr. Chapman, the Council, at half-past 12 o'clock, P. M., took a recess until half-past one o'clock, P. M.

AFTER RECESS.

Journal of to-day, until recess, read and approved.

Mr. Holladay, from the committee on enrolled bills, reported bills of the following titles, truly enrolled.

Council File No. 40—An act to amend an act entitled "an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City," approved December 31, 1857.

Council File No. 16—An act to regulate the appointment and duties of receivers,

Council File No. 34—An act supplemental to "an act to incorporate the city of Dakota," approved November 21, 1858.

And having had the same signed by the Speaker of the House, President of the Council, and endorsed by the Chief Clerk of the Council, were presented to the acting Governor for his approval at one o'clock, this 13th day of February, 1865.

Mr. Chapman, from the committee on elections, on leave given, reported

House File No. 134—An act to amend an act entitled "an act to apportion and define councilman districts," approved January 28, 1864.

Without amendment.

Mr. Chapman, from the select committee on that subject, reported

House File No. 116—An act supplementary to an act entitled "an act to locate a territorial road from Plattsmouth City, Cass county, to intersect the territorial road immediately south of the Salt Basin and west of Salt creek, in Lancaster county," approved January 24, 1865.

Without amendments

Mr. Miller, from the committee on finance, reported

House File No. 119—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.

Without amendment.

On motion of Mr. Holladay, the rules were suspended and the bill read a third time.

The question being, shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Albertson, Bayne, Chapman, Holladay, Kennedy, McCasland and Miller—7.

Nays—Messrs. Bennett, Griffey and Porter—3.

So the bill passed.

Title agreed to.

House File No. 134—An act to amend an act entitled "an act to apportion and define councilman districts," approved January 28, 1864.

Read third time, passed and title agreed to.

House File No. 116—An act supplementary to an act entitled "an act to locate a territorial road from Plattsmouth City, Cass county, to intersect the territorial road immediately south of the Salt Basin and west of Salt creek, in Lancaster county," approved January 24, 1865.

On motion of Mr. Chapman the bill was read a third time.

Bill passed and title agreed to.

House File No. 137—An act creating the office and defining the duties of Territorial Librarian.

On motion of Mr. Miller the bill was read a third time.

Bill passed and title agreed to.

On motion of Mr. Holladay, the Council, at half-past two o'clock took a recess for thirty minutes.

AFTER RECESS.

Mr. Allen, from the select committee on that subject, on leave given, reported

House File No. 2—An act to authorize William Kline, his associates and assigns, to construct and keep a mill-dam across the Elkhorn river.

With an amendment.

Mr. Chapman, from the committee on elections, on leave given, reported

House File No. 111—An act to amend an act entitled "an act to confirm the elective franchise to citizens residing temporarily on the Omaha and Pawnee Indian reservations," approved January 10, 1862.

With amendments.

Mr. Griffey, on leave given, introduced

Council File No. 51—An act for the relief of Simon De Witt.

On motion of Mr. Griffey, the bill was read a first, second and third time.

Bill passed and title agreed to.

Mr. Bayne, on leave given, introduced

Council File No. 52—An act for the relief of Louisa O. Worden.

On motion of Mr. Bayne, the bill was read a first, second and third time.

The question being, shall the bill pass?

The yeas and nays were demanded.

Yeas—Messrs. Griffey, Holladay and McCasland—3.

Nays—Messrs. Albertson, Allen, Bayne, Bennett, Chapman, Kennedy, Miller and Porter—8.

So the Council refused to pass the bill.

Mr. Bayne moved to re-consider the vote by which the Council refused to pass the bill,

Which was agreed to.

The question recurring, shall the bill pass?

It was agreed to.

So the bill passed.

Title agreed to.

Mr. Holladay moved a call of the House,

Which was ordered.

Pending which,

On motion of Mr. Porter, all further proceedings under the call were dispensed with.

House File No. 2—An act to authorize William Kline, his associates and assigns, to construct and keep a mill-dam across the Elkhorn river.

Mr. Allen moved that the amendment reported by the select committee, on said bill, be adopted.

Which was agreed to.

Mr. Allen moved that the bill be read a third time, now.

Mr. Porter moved to lay that motion upon the table.

Which latter motion was not agreed to.

The question recurring on reading the bill a third time, now

It was not agreed to.

House File No. 111—An act to amend an act entitled "an act to confirm the elective franchise to citizens residing temporarily on the Omaha and Pawnee Indian reservations," approved January 10, 1862.

Mr. Chapman moved that the amendment reported by the committee on elections, to said bill, be adopted.

Which was agreed to.

A message from the house, by Mr. Taffe, their chief clerk:

HOUSE OF REPRESENTATIVES,
February 13, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

Council File No. 47—An act to amend Chap. 12 of an act entitled "an act to revise and consolidate the laws of a general nature passed at the second session of the legislative assembly of this territory," approved February 13, 1864.

Without amendment,

Also,

House File No. 142—An act to vacate an alley in Salem, Richardson county.

And the concurrence of the Council is respectfully requested.

Mr. Allen moved that the further consideration of the bill, (House File No. 111,) be indefinitely postponed.

Which was not agreed to.

Mr. Chapman moved to re-consider the vote by which the amendment was adopted.

Which motion was agreed to.

Mr. Chapman moved to amend the bill by striking out all after the word "territory," in the 45th line of the 1st section, to the word "and," at the beginning of the 53d line.

Which was agreed to.

Mr. Allen moved that the further consideration of the bill be indefinitely postponed.

Upon a division, the Council being equally divided, the President voted in the negative;

So the Council refused to postpone.

Mr. Chapman moved further to amend by striking out section two.

Which amendment was agreed to.

Mr. Chapman moved that the bill be read a third time, now.

And it was so ordered.

Bill read a third time, passed and title agreed to.

House File No. 142—An act to vacate an alley, in Salem, Richardson county.

On motion of Mr. Bayne, the bill was read a first, second and third time.

Bill passed and title agreed to.

Mr. Holladay, from the committee on enrolled bills, reported bills of the following titles, truly enrolled:

Council File No. 49—An act relative to the competency of witnesses in certain cases.

Council File No. 33—An act to provide for revising the laws of Nebraska.*

Council File No. 48—An act to provide for the insane of Nebraska.

---

*This bill should have been enrolled in the House, being House File No 33, on that subject. The Council made an amendment, by way of substitute, which seems to have been regarded in the House as a new bill, and a number, as of the Council File, given to it. Council File No. 33 related to town sites.

And having had the same signed by the Speaker of the House and the President of the Council, and endorsed by the Chief Clerk of the Council, were presented to the acting Governor for his approval, at three o'clock, this 13th day of February, 1865.

Mr. Kennedy moved that the Council take a recess until 6 o'clock, P. M.

Which was not agreed to.

On motion of Mr. Allen, the Council, at 20 minutes past 4 o'clock, P. M., took a recess for twenty minutes.

AFTER RECESS.

Mr. Kennedy moved that there be a call of the House.

Which was ordered.

Absent—Messrs. Allen, Chapman and Porter.

The absentees having come within the bar of the house,

On motion of Mr. Miller, all further proceedings under the call were dispensed with.

On motion of Mr. Kennedy, the Council, at 10 minutes before 5 o'clock, P. M., took a recess until 6 o'clock, P. M.

AFTER RECESS.

Mr. Allen in the chair.

Journal of to-day, since half-past 1 o'clock, read and approved.

Mr. Chapman offered the following resolution, which was read, considered and unanimously agreed to:

Resolved, That the thanks of the Council are due, and are hereby tendered, to the Hon. O. P. Mason, for the able and efficient manner in which he has discharged his duties as President of the Council.

Mr. Chapman offered the following resolution, which was read, considered and unanimously agreed to:

Resolved, That the thanks of the Council are due, and are hereby tendered to General John S. Bowen, Chief Clerk, and to William W. Morgan, Assistant Clerk, for their gentlemanly deportment and the very able and efficient manner in which they have discharged the duties of their respective offices.

Mr. Kennedy offered the following resolution, which was read, considered and unanimously agreed to:

Resolved, That the thanks of this body are due, and are hereby tendered to the Reverend Henry Kuhns, our worthy Chaplain, for the very efficient and christian manner in which he has discharged his duties during the present session.

Mr. Porter offered the following resolution, which was read, considered and unanimously agreed to:

Resolved, That the thanks of this body are hereby tendered to William M. Miller, Engrossing Clerk; C. E. Yost, Enrolling Clerk; Charles Bryant, Door Keeper; Philo Judson, Fireman, and Master Charles Ulrey and Archie Powell, Pages, for the prompt and attentive manner in which they have severally discharged their duties during the present session.

Mr. Kennedy offered the following resolution, which was read, considered and unanimously agreed to:

Resolved, That the thanks of this body are due, and are hereby tendered to Samuel Gamble, Sergeant-at-Arms, for the very attentive, efficient and courteous manner in which he has discharged the duties of his office during the present session of this body.

Mr. Kennedy offered the following resolution, which was read, considered and unanimously agreed to:

Resolved, That the thanks of this body are hereby tendered to the Hon. A. S. Paddock, Secretary of this Territory, for his uniform kindness shown to the members of this body during its present session.

A message from the house, by Mr. Taffe, their chief clerk.

HOUSE OF REPRESENTATIVES,
February 13, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has concurred in the amendments made by the Council to

House File No. 56—An act to regulate the salaries and fees of officers in the Territory of Nebraska.

And that the House has passed

Council File No. 50—An act to repeal an act entitled "an act to incorporate the South Nebraska Railroad Company," approved January 11, 1861.

Without amendment.

On motion of Mr. Holladay, the Council, at 10 minutes before 9 o'clock, P. M., took a recess for ten minutes.

AFTER RECESS.

Mr. Miller offered the following concurrent resolution, which was read twice, and considered:

Whereas, The Congress of the United States did, on the 2d day of February, 1865, adopt an amendment to the Federal Constitution, abolishing the institution of slavery in the United States; therefore,

Be it resolved by the Council and House of Representatives of the Territory of Nebraska, That the action of Congress aforesaid, challenges the unqualified approval of this Legislative Assembly, as a measure of humanity, of justice and of patriotism; and that Nebraska stands ready to ratify said amendment, whenever, by admission into the family of States, her people shall acquire the right to be heard upon the question.

Mr. Holladay moved that the Council proceed to the consideration of

House File No. 2—An act to authorize William Kline, his associates and assigns, to construct and keep a mill-dam across the Elkhorn river.

Which motion was agreed to.

Mr. Holladay moved that the name of "Henry Kruse" be inserted after the name of "Henry Sprick."

Mr. Porter moved that there be a call of the House.

Which was ordered.

Absent, Mr. McCasland.

On motion of Mr. Holladay all further proceedings under the call were dispensed with.

The question being on the amendment proposed by Mr. Holladay,

Upon a division, the Council being equally divided, the Chair voted in the affirmative.

So the amendment was agreed to.

Mr. Mason moved to strike out all of the bill after the enacting clause.

A message from the House, by Mr. Taffe their chief clerk.

HOUSE OF REPRESENTATIVES,
February 13, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed,

Council File No. 52—An act for the relief of Louisa O. Worden.

Without amendment.

Also,

House File No. 143—Substitute for an act making appropriations for legislative expenses, and for other purposes, for the year 1865.

House File No. 144—Joint resolution relative to duties of county treasurers.

And the concurrence of the Council is respectfully requested.

Mr. Holladay, from the committee on enrolled bills, reported that the committee had examined and compared bills of the following titles, and find the same truly enrolled:

Council File No. 47—An act to amend chapter 12 of an act entitled "an act to revise and consolidate the laws of a general nature passed at the second session of the Legislative Assembly of this Territory," approved February 15, 1864.

Council File No. 25—An act to provide for the enrolling, organizing, calling into service and paying the Nebraska militia.

Council File No. 50—An act to repeal an act entitled "an act to incorporate the South Nebraska Railroad company," approved January 11, 1861.

Council File No. 52—An act for the relief of Louisa O. Worden.

And having had the same signed by the speaker of the House and President of the Council, and endorsed by the Chief Clerk of the Council, were presented to the acting Governor for his approval, at 9 o'clock P. M., this 13th day of February, 1865.

The question being on the motion of Mr. Mason, to strike out all of the bill, (House File No. 2,) after the enacting clause,

Mr. Miller moved the previous question,

Which was not ordered.

The question again recurring on the motion of Mr. Mason,

It was not agreed to.

The question now being on ordering the bill to a third reading.

Upon a division, five voting in the affirmative and four in the negative, the President, (Mr. Mason now in the chair,) voted in the negative.

So the Council refused to order the bill to a third reading.

House File No. 143—An act making appropriations for legislative expenses, and for other purposes, for the year 1865.

Council resolved itself into committee of the whole on said bill, Mr. Allen in the chair.

After some time the committee arose, and by their chairman reported the bill, with sundry amendments.

The amendments were agreed to.

Bill read a third time, passed and title agreed to.

A message from the acting Governor, by Mr. Knox, his private Secretary:

EXECUTIVE CHAMBER,
Omaha, Feb'y 13, 1865.

Mr. President and Gentlemen of the Council:

I am directed by the acting Governor to inform your honorable body that he has approved and signed,

"An act to provide for the enrolling, organizing, calling into service and paying of the Mebraska militia."

"An act to repeal an act entitled "an act to incorporate the South Nebraska Railroad Company," approved January 11, 1861."

"An act to amend chapter 12 of an act entitled "an act to revise and consolidate the laws of a general nature, passed at the second session of the Legislative Assembly of this Territory," approved February 15, 1864."

"An act to provide for the insane of Nebraska."

R. S. KNOX,
Private Secretary.

House File No. 144—Joint resolution relative to the duties of county treasurers.

Read first time.

Mr. Porter moved that the bill be read a second and third time, now.

The motion was not agreed to.

Mr. Holladay moved to re-consider the vote by which the Council refused to read the bill a second and third time.

Which motion was agreed to.

The question recurring on the motion of Mr. Porter,

It was agreed to.

Read third time, passed and title agreed to.

On motion of Mr. Allen, the Council, at twenty minutes before 11 o'clock, P. M., took a recess for ten minutes.

AFTER RECESS.

A message from the House, by Mr. Taffe, their chief clerk:

HOUSE OF REPRESENTATIVES,
February 13, 1865.

Mr. President:

I am instructed to inform your honorable body that the House has passed

Concurrent resolutions approving the constitutional amendment in regard to slavery,

Without amendment.

And has indefinitely postponed

Council File No. 35—An act relative to real property.

Council File No. 51—An act for the relief of Simon De Witt.

And that the House has passed,

House File No. 145—Substitute for an act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of the real and personal property, and for the levying and collection of taxes in the Territory of Nebraska," approved February 15, 1864.

And the concurrence of the Council is requested.

I am also instructed to inform your honorable body that the House has concurred in the amendments of the Council to

House File No. 143—Substitute for an act making appropriations for legislative expenses, and for other purposes, for the year 1865.

A message from the acting Governor, by Mr. Knox, his private secretary:

EXECUTIVE CHAMBER,
February 11, 1865.

Mr. President and Gentlemen of the Council:

I am instructed by the acting Governor to inform your honorable body that he has approved and signed

"An act to regulate the appointment and duties of receivers."

"An act to amend an act entitled "an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City," approved December 31, 1857.

"An act supplemental to an act to incorporate the city of Dakota, approved November 21, 1858."

"An act to provide for revising the laws of Nebraska."

"An act relative to the competency of witnesses in certain cases."

R. S. KNOX,
Private Secretary.

House File No. 145—An act to amend an act entitled "an act to revise an act to provide for the valuation and assessment of the real and personal property, and for the levying and collecting of taxes in the Territory of Nebraska," approved February 15, 1864.

On motion of Mr. Bayne, the bill was read a first, second and third time.

Bill passed and title agreed to.

On motion of Mr. Kennedy, the Council, at a quarter past 11 o'clock, P. M., took a recess for twenty minutes.

AFTER RECESS.

A message from the acting Governor, by Mr. Knox, his private secretary.

EXECUTIVE CHAMBER.
Omaha, Feb'y 13, 1865.

Mr President and Gentlemen of the Council:

I am instructed by the acting Governor to inform your honorable body that he has approved and signed,

"An act for the relief of Louisa O. Worden."

R. S. KNOX,
Private Secretary.

Mr. Kennedy moved that a committee of two be appointed to wait upon the acting Governor and inform him that the Council will be ready to adjourn, *sine die,* at 12 o'clock, P. M., and to inquire if he has any further communication to make to the Council.

The motion was agreed to.

Messrs. Kennedy and Chapman were appointed said committee.

On motion of Mr. Porter, the same committee was instructed to inform the House that the Council will be ready to adjourn, *sine die,* at 12 o'clock, P. M.

Mr. Kennedy, from the select committee appointed to wait upon the Governor and to inform him, and also the House, that the Councill would be ready to adjourn at 12 o'clock, reported

That they had performed the duties devolved upon them, and that the acting Governor had no further communication to make to the Council.

The journal of to-day, since 6 o'clock, P. M., was read and approved.

Messrs. McCandlish, Cadman and Barnum, a committee from the House, announced that the House would be ready to adjourn at 12 o'clock, P. M.

The hour of 12 o'clock, P. M., having arrived,

The President, after a few appropriate and feeling remarks, declared the Council adjourned, *sine die*.

JOHN S. BOWEN.
Chief Clerk.

QUESTIONS OF ORDER,

DECIDED BY THE COUNCIL AT THE TENTH SESSION, TOGETHER WITH THOSE DECIDED AT PREVIOUS SESSIONS.

Pending the bill to locate the seat of government,

Mr. Richardson, *on leave*, gave notice of a bill to appoint a commissioner to locate, &c.

The Council overruled the decision of the Chair, that the notice was out of order.—*Journal of the First Session, page* 34.

A bill having been ordered to a third reading, now, the previous question was moved and entertained by the Chair, but the Council overruled the decision.—*Jouruał of the First Session, page* 35.

Upon a call of the House, one member being absent, a motion was made that all further proceedings under the call be dispensed with, which was not agreed to. The absentee appearing and taking his seat, the motion was again made, and decided by the Chair to be not in order, and the decision was sustained. No further proceedings under the call were had.—*Journal of the First Session, page* 45.

A bill relating to the exemption of property from execution, having passed, a motion was made to amend the title, by striking out all after the word "act," and insertign "to enable rogues to swindle their creditors," which was decided to be out of order, and the Council sustained the decision.—*Journal of First Session, page* 104.

Pending a joint resolution of the House, relative to public printing, an amendment was offered which was a substitute, relating to the same subject, and ruled out of order. There being a tie vote, the Chair was not sustained. —*Journal of Second Session, page* 28.

Amendments having been offered and disagreed to, (same joint resolution,) the previous question was moved, and on appeal, decided to be in order.—*Journal of the Second Session, page* 29.

The reading of a bill, (on second reading,) being called for by a member, on objection made, the Chair decided that it could be read for information, and the bill was read.—*Journal of Fourth Session, page* 77.

The President decided that he could not entertain a motion that the Council adjourn to meet at another place, upon the ground that under the organic act, no such adjournment could take place without the concurrent action of both Houses and the official sanction of the Governor.

Upon appeal the decision was not sustained by the majority, but the President still refusing to put the motion, it was put by a member, and the majority left the hall, the President and the minority remaining in session.—*Journal of the Fourth Session, page* 124.

Amendments of the House to a bill of the Council being under consideration, a motion was made to indefinitely postpone the bill. The Chair ruled the motion to be not in order; the decision was not sustained.—*Journal of the Fifth Session, page* 110.

A motion to strike out the enacting clause of a bill, on second reading, was ruled out of order, and the decision sustained.—*Journal of the Fifth Session, page* 177.

The two houses having met in joint convention for that purpose, and a motion made that the convention now proceed to ballot for and elect a territorial printer; upon debate arising, the point of order was made "that we are here for a specific purpose, and that it is out of order at this time to discuss our power to do so, the place for such discussion being in the separate houses during the pendency of the resolution to go into joint convention." The President so decided.—*Journal of the Fifth Session, page* 231.

A house bill to abolish slavery having been indefinitely postponed, and a council bill, a joint resolution on that subject being introduced, the point of order was raised that the bill could not now be entertained by the Council, because a bill on the same subject, and containing the same sentiments, had been indefinitely postponed, this session, which was overruled by the President, and his decision sustained.—*Journal of the Sixth Session, page* 117.

The same decision, on a divorce bill, was made and sustained.—*Ibid. page* 251.

The Chair decided that it would require unanimous consent to take up a report out of its order, (the report being made that day,) and the decision was sustained.—*Journal of the Sixth Session, page* 246.

The Chair decided, upon a motion to consider a "relief" bill, in secret session, that rule eighteen was not applicable to the case, as there could be no good reason for secrecy in connection with the bill. The decision was not sustained, and the Council sat with closed doors.—*Journal of the Sixth Session, page* 306.

A bill being on second reading, and a motion made that it be read a third time now, upon objection made, "the Chair ruled the objection out of order." "Decision sustained."—*Journal of the Sixth Session, page,* 320.

Bills on their second reading being considered, a motion was made to "take up" a bill, which pending its second reading, had been laid upon the table. Objection being made "on the ground that a bill could not be taken up and out of its regular order, except by unanimous consent," the President decided that a majority of the Council could call up a bill at any time, and the decision was sustained.—*Journal of the Sixth Session, page* 322.

A motion to take up a bill, which on a former day had been committed, and this day reported, was ruled to be out of order, and the decision was sustained.—*Journal of the Sixth Session, page* 329.

The President voting with the minority, and thus making a tie vote, declared the question lost. Upon appeal the Chair was sustained.—*Journal of the Seventh Session, page* 110.

In debate, the point of order was raised that a member had no right to read the evidence reported, (upon the pending question,) and make it a part of his speech. The Chair "decided the point of order not well taken," but the decision was not sustained.—*Journal of the Seventh Session, page* 202.

A motion being made, that the bill be read a third time, now, and upon that, a demand for the previous question, it was objected that the previous question could not be moved until the Chair had stated the main question—that is, the motion to read a third time. The President decided the demand for the previous question to be in order, and, on appeal, was sustained.—*Journal of the Eighth Session, page* 181.

Pending the question on concurring in amendments of the House to a bill of the Council, the previous question was moved.

Debate arising, the President decided that the motion was not debatable, and the Council sustained the decision.—*Journal of the Ninth Session, page* 271.

QUESTIONS OF ORDER,

DECIDED BY THE PRESIDENT AT THE TENTH SESSION.

O. P. MASON, OF OTOE, PRESIDENT.

SATURDAY, January 28, 1865.

Mr. Holladay moved to adjourn until to-morrow morning, at 10 o'clock.

Mr. Kennedy moved to adjourn until Monday morning, at 10 o'clock.

Mr. Allen made the point of Order, that the first motion means Monday.

The President overruled the said point of order, the word "Saturday" not appearing in the motions.

Mr. Miller appealed from the decision of the Chair.

And the decision of the Chair was sustained.

THURSDAY, February 2, 1865.

The question being on re-committing the bill, as recommended by the judiciary committee.

The question was put, and the Chair decided that it was agreed to.

A division of the House was then called for by Mr. Holladay.

The Chair decided that the call for a division, after the result of the vote was declared, was not in order.

Mr. Allen appealed from the decision of the Chair, upon the ground that a division may be called for after the result is declared, before any new motion be made.

The question being, shall the decision of the Chair stand as the judgment of the House?

The decision of the Chair was not sustained—Yeas, 1; nays, 11.

MONDAY, February 6, 1865.

Upon the question, shall the bill pass?

The yeas were 6; nays 5.

Mr. Allen insisted that the Chair should vote.

The Chair decided that the President is only required to vote when there is a tie vote, and may vote when it will otherwise change the result.

Mr. Allen appealed from the decision of the Chair, as follows:

"That the Chair is compelled to vote in all cases of a tie, or where his vote, if cast with the minority, will make a tie, and thereby defeat the question."

Upon the question, shall the decision of the Chair stand as the judgment of the House?

The yeas were 4; nays, 8.

So the decision of the Chair was not sustained.

The question was again raised, and an appeal taken, Tuesday, February 7, 1865, but the appeal remained undetermined.

TUESDAY, February 7, 1865.

Pending the question on the passage of the bill,

Mr. Porter in the chair,

Mr. Kennedy, while speaking to the question, yielded the floor to Mr. Mason to make a statement of the facts in the case of the bill pending.

Mr. Allen rose to a point of order, that the gentleman from Douglas, (Mr. Kennedy), cannot yield the floor to another member to make a speech, which he is doing, and then claim the floor after the member has made his speech.

The Chair decided that the gentleman from Otoe, (Mr. Mason,) was in order, confining himself to the facts, for the statement of which the floor was yielded.

Mr. Allen appealed from the decision.

Mr. Mason rose to debate the question on the appeal.

Mr. Allen rose to a point of order, that a question of order is not debatable.

The Chair decided that an appeal is not debatable.

Mr. Allen appealed from this decision, also.

Mr. Mason rose to a point of order, that pending one appeal no further appeal can be had.

The Chair decided that one appeal cannot be taken pending another appeal.

From which decision Mr. Allen made a third appeal.

The question being stated on the last appeal, to-wit: Shall the decision of the Chair stand as the judgment of the House?

The decision of the Chair was sustained.

The question upon the second appeal being entertained,

Upon the question, shall the decision of the Chair stand as the judgment of the House?

Being put,

The decision of the Chair was sustained.

The question recurring upon the first appeal, shall the decision of the Chair stand as the judgment of the House?

President in the chair.

The yeas were 6; nays, 5.

So the decision of the Chair was sustained.

WEDNESDAY, February 8, 1865.

Mr. Miller proposed to introduce a bill.

Mr. Kennedy objected, that this bill is the same subject matter as a bill, Council File No. 42, which has been indefinitely postponed.

The Chair ruled that the subject matter of this bill is the same as that of the bill indefinitely postponed on the 6th inst., and that under the 12th joint rule it will require a vote of two-thirds for leave to introduce it.

Mr. Miller appealed from the decision.

On the question, shall the decision of the Chair stand as the judgment of the House?

The decision of the Chair was sustained.

INDEX

TO THE

COUNCIL JOURNAL.

PAGE.

ALLEN, E. A.—

Presented credentials.. 4
Appointed on committees, 4, 6, 8, 8, 8, 9, 10, 97, 99, 101, 131, 148, 188, 199, 203
Petitions presented by..................................113, 120, 158, 207, 211
Bills introduced by..................................94, 96, 96, 113, 162, 162
Reports submitted by, 97, 116, 118, 126, 127, 127, 131, 127, 175, 193, 201, 204, 212, 224, 225, 231
Chairman of committee of the whole, 104, 106, 116, 118, 122, 126, 127, 127, 147, 224, 231
Absent..115, 228
Motions, notices and resolutions, 3, 5, 6, 7, 7, 7, 9, 10, 78, 93, 93, 93, 94, 94, 97, 98, 98, 99, 99, 106, 107, 108, 108, 109, 109, 109, 112, 112, 112, 114, 114, 114, 114, 119, 120, 120, 121, 121, 122, 122, 128, 128, 129, 129, 131, 131, 133, 133, 134, 136, 136, 137, 142, 142, 142, 142, 144, 146, 148, 148, 148, 148, 158, 161, 162, 164, 164, 165, 170, 170, 170, 177, 177, 180, 185, 188, 190, 191, 192, 194, 194, 195, 196, 196, 202, 203, 204, 206, 209, 212, 221, 221, 223, 226, 226, 227, 227, 228, 232
Appointed president pro. tem.. 124

AYES AND NAYS—

On passage of H. F. No. 3, bill for Territorial road from Little Nemaha to Big Nemaha.. 107
On postponment of C. F. No. 5, to provide for the assessment of real and personal property and for levying and collecting of taxes................ 108
On motion to recommit C. F. 5.. 108
On passage of C. F. 5.. 109
On postponment of C. F. No. 6, memorial and joint resolution for the relief of Nebraska militia, until the 4th day of July.............................. 118
On H. F. No. 16, relative to the competency of witnesses, question shall

PAGE.

AYES AND NAYS—*continued.*
- the bill be read a 3d time.......... 119
- On reading 3d time of H. F. 16.......... 119
- On passage of H. F. 16.......... 119
- On second reading of resolution for adjournment of Legislature *sine die* on 1st Monday of February.......... 120
- On motion to adjourn till 10 o'clock Monday morning.......... 124
- On tabling motion to indeffinitely postpone C. F. 19, act to incorporate Masonic and Odd Fellows Hall company of Plattsmouth, Nebraska, 133
- On motion, ordering main question to read C. F. 19 3d time.......... 133
- On passage of C. F. 19.......... 133
- On postponing H. F. No. 4, authorizing Hugh Coat, Thos. Coat and Geo. Homewood to erect and keep mill-dam on Little Nemaha.......... 137
- On H. F. 48, for mill-dam across Rock Creek, Cuming county, on indeffinite postponment.......... 137
- On C. F. 20, for ferry across Platte River, that bill do lie upon the table, 137
- On indeffinite postponment of C. F. 20.......... 138
- On suspending rule for H. F. 46, to incorporate Allemanen Lodge No. 8, I. O. O. F.......... 138
- On passage of H. F. 46.......... 138
- On resolution of committee on elections.......... 162
- On laying resolutions and report on table.......... 162
- On H. F. 58, act to incorporate Platte Lodge No. 7, I. O. O. F., on motion to table, motion to indeffinitely postpone.......... 163
- On motion to indeffinitely postpone H. F. 58.......... 163
- On motion to read H. F. 58 3d time and put on passage.......... 163
- On passage of H. F. 58.......... 164
- On appeal from decision of President.......... 169
- On motion to suspend rule and read 3d time H. F. 52, act providing for tax on dogs.......... 171
- On motion to consider resolutions reported by committee on elections.......... 171
- On motion to consider report of committee on elections.......... 177
- On H. F. 53, for toll bridge across Rock Creek, Jones Co., question being shall bill pass.......... 178
- On indefinite postponment of H. F. 77, amending act providing for settlement of estate of decedents.......... 185
- On passage of C. F. 38, act to incorporate Nebraska City petroleum and coal mining company.......... 186
- On sustaining decision of chair.......... 186
- On passage of C. F. 38.......... 186
- On call of the House.......... 187
- On motion to proceed to consideration of H. F. 30, to authorize Fordyce Roper and Hiram W. Parker to erect mill-dam on Big Blue River, 189
- On motion to table motion for the further consideration of H. F. 30.......... 189
- On motion to read 3d time H. F. 30.......... 190
- On motion to sustain decision of chair.......... 192

PAGE.

AYES AND NAYS.—*continued.*
- On motion for previous question in considering H. F. 30........ 192
- On passage of H. F. 30........ 192
- On 3d reading of H. F. 61........ 192
- On passage of H. F. 61........ 192
- On motion to indefinitely postpone further consideration of H. F. 98, to authorize Geo. P. Tucker to erect a mill-dam on Tucker Creek, Johnson county, Nebraska........ 193
- On adoption of resolution declaring vacant the seat of councilman for the council district of Sarpy and Dodge........ 194
- On granting leave to introduce substitute for C. F. 42........ 195
- On reading H. F. 105, a 3d time........ 204
- On reading C. F. 46 a 3d time........ 204
- On reading H. F. 63 a 3d time........ 210
- On passage of H. F. 63........ 210
- On passage of H. F. 103........ 210
- On reading H. F. 74 a 3d time........ 211
- On indefinite postponment of H. F. 104........ 212
- On Passage of H. F. 93........ 216
- On passage of H. F. 119........ 225
- On passage of C. F. 52........ 226

ALBERTSON, ISAAC—
- Presented credentials........ 4
- Appointed on committees........ 8, 8, 8, 8
- Absent........ 97

BOWEN, JOHN S.
- Elected clerk pro. tem........ 3
- Chief clerk........ 5
- Oath of office administered........ 6
- Resolution of thanks........ 228

BENNET, JOHN B.—
- Presented credentials........ 4
- Appointed on committees........ 8, 8, 8, 106, 116, 195, 200
- Petitions presented by........ 110
- Bills introduced by........ 93, 94, 96, 116, 116, 129, 135, 195, 221
- Reports submitted by, 106, 112, 133, 141, 146, 149, 167, 176, 176, 184 188, 197, 201, 204, 204, 207, 211, 216, 223
- Absent........ 124, 131, 183, 186
- Motions, notices and resolutions, 3, 4, 5, 7, 7, 7, 94, 98, 98, 107, 114, 114, 114, 118 128, 128, 130, 133, 148, 148, 170, 176, 194, 200, 201 204, 204, 223

BAYNE, OLIVER P.—
- Presented credentials........ 4
- Appointed on committees........ 8, 8, 8, 187
- Petitions presented by........ 174, 187 211

PAGE.

BAYNE, OLIVER P.—*continued.*
  Bills introduced by.....125, 184, 226
  Reports submitted by.....95, 157, 180, 209, 216
  Absent..... 201
  Motions, notices and resolutions, 124, 179, 205, 206, 209, 216, 222, 226, 227, 233

BRYANT, BRYANT—
  Elected door-keeper..... 5
  oath of office administered..... 6
  Resolutions of thanks..... 229

BLANCHARD, CORRINGTON—
  Presented credentials..... 4
  Appointed on committees.....8, 8, 8
  Bills introduced by..... 113
  Reports snbmitted by.....107, 109, 135, 166, 175, 188
  Absent..... 125
  Motions, notices and resolutions.....5, 8, 98, 104, 136

BILLS ORIGINATING IN COUNCIL—
  Nos. 1, an act to make provision for the Insane of Nebraska, 97, 98, 100, 101 103, 105, 167, 175, 178, 198, 200, 205
  2, to provide for the payment of the militia of Nebraska, 97, 98, 100, 106, 107, 137, 139, 145
  3, an act relative to official bonds of county clerks and county commissioners.....7, 99, 106, 108, 181, 182, 193
  4, to change time of returning venires of petit jurors in 3d judicial district.....7, 105, 117
  5, amending act providing for assessment and for levying and collection of taxes.....100, 104, 106, 106, 108, 108, 214, 215, 220, 223
  6, memorial and joint resolution for the relief of the Nebraska militia.....97, 98, 101, 111, 112, 114, 118, 126
  7, to promote agriculture, encourage the growth of timber and fruit trees and to restrain stock from running at large, 7, 98, 106, 106, 108, 109, 112, 114, 115, 118
  8, to amend section 3 of an act regulating distribution of the laws and journals.....97, 99, 111, 117
  9, to repeal part of section 2 of act apportioning and defining council districts..... 97
  10, to authorize Henry Kruse to erect mill dam on Elkhorn river, 101, 104, 115
  11, to locate territorial road from Plattsmouth city to the Salt Basin in Lancaster county.....100, 104, 109, 110, 111, 123, 127
  12, amending act confirming title of Thomas Martin and J. N. Coriell to real estate in Omaha.....104, 106, 107, 108, 109, 123, 126
  13, to amend code of civil procedure and relative to competency of witnesses.....110, 115, 116, 122, 125, 127, 135, 139

PAGE.

BILLS ORIGINATING IN THE COUNCIL.—*continued.*
14, to amend portions of criminal code and to confer jurisdiction upon justices of peace in certain cases......................110, 125, 127
15, to revise and consolidate several acts relative to city of Omaha, 111, 122, 122, 130, 197, 208
16, to regulate appointment and duties of receivers, 111, 120, 121, 125, 126, 131, 133, 135, 135, 141, 144, 197, 199, 224
17, to repeal act consolidating certain actions in district court, 113, 115, 117, 120, 122, 143
18, to authorize and regulate the adoption of children.. ......113, 131, 131
19, to incorporate Masonic and Odd Fellows Hall Company of Plattsmouth..............................113, 115, 118, 121, 132, 166, 184
20, to authorize Chas. Laing to keep a ferry across Platte river 113, 116, 134, 137
21, to legalize the assessment and collection of taxes in Washington county.....................................113, 115, 118, 120, 122, 143, 148
22, to regulate the entry and disposal of town-sites in Nebraska, 116, 122, 124, 131, 133
23, to provide for the funding of warrants of Otoe county, 116, 133, 135, 139, 197
24, to incorporate Columbus, in Platte county, 116, 128, 130, 142, 144, 197, 208
25, to provide for enrolling, organizing, calling into service and paying Nebraska militia, 157, 158, 183, 185, 186, 188, 208, 209, 212, 212, 227, 231, 232
26, to provide for releasing school lands in the Territory, 128, 135, 146, 146, 160, 164
27, to designate time for electing territorial auditor and treasurer, 120, 135, 138, 141, 144, 190
28, to define the liabilities of common carriers,......131, 146, 148, 166, 169
29, to restrain bulls, bucks and stallions from running at large, 146, 148, 149, 158
30, to revise and amend an act providing for the better regulating common schools in Nebraska.........135, 148, 175, 180, 206, 207, 217
31, to vacate streets and alleys in Brownville.......135, 146, 146, 161, 184
32, to create county assessors in certain counties, 142, 146, 147, 149, 158, 181, 182, 184
33, to amend act regulating entry and disposal of town-sites, 142, 142, 144, 146, 148, 181, 184, 213, 227
34, act supplemental to act incorporating city of Dakota, 158, 159, 164, 213, 224
35, relative to real property...162, 183, 184, 187
36, to legalize the election of municipal officers of Desoto for 1864, 162, 166, 170, 197
37, to vacate town-site of Plattsford in Sarpy county, Nebraska, 163, 175, 177, 205, 213

PAGE.

BILLS ORIGINATING IN COUNCIL—*continued.*

38, to incorporate Nebraska City Petroleum and Coal Mining Company........................163, 174, 177, 180, 182, 183, 185
39, to restrain stock from running at large in the county of Douglas, 167, 176, 178
40, to amend act consolidating corporations of Nebraska City, South
41, Joint memorial and resolution respecting an Insane assylum in Nebraska..176, 180, 187, 195
Nebraska City and Kearney City, 167, 184, 185, 187, 188, 213, 224
42, an act for the relief for Nebraska volunteers and their families, 180, 182, 187, 195
43, memorial and joint resolution relative to the department of the plains..184, 188, 188, 193
44, to incorporate Platte Lodge No. 7, I. O. O. F. at Plattsmouth, 184, 189, 192
45, to amend act to allow the funding of the indebtedness of the Territory..195, 200, 203, 218
46, to authorize the city council of Nebraska City to fund the indebtedness of said city and to create a special wharf fund, 195, 204, 204, 217
47, to amend chapter 12 of act to revise and consolidate the laws of a general nature, passed at the 2d session of the Nebraska Legislature..202, 227, 230
48, to make provision for insane of Nebraska,.......204, 107, 211, 218, 227
49, relative to competency of witnesses in certain cases.......212, 220, 227
50, to repeal act incorporating South Nebraska Railroad Company, 221, 229, 231
51, for relief of Simon Dewitt..215, 232
52, for relief of Louisa O. Worden..226, 230, 231

CHAPMAN, J. W.—

Presented credentials.. 4
Appointed on committees..............8, 8, 8, 8, 8, 9, 99, 114, 177, 187, 214, 233
Petitions presented by.. 99
Reports submitted by, 9, 101, 115, 116, 117, 117, 125, 128 134, 135, 150, 158, 160, 164, 174, 176, 178, 183, 186, 188, 189, 194, 202, 208, 209, 210, 212, 224, 224, 225
Chairman of committee of the whole, 117, 117, 158, 164, 176, 178, 186, 194, 209
Absent..115, 124, 181, 220, 228
Motions, notices and resolutions, 3, 3, 6, 9, 9, 97, 98, 99, 101, 107, 107, 109, 111, 112, 112, 113, 114, 114, 114, 114, 119, 128, 132, 132, 137, 138, 138, 139, 141, 143, 143, 143, 143, 159, 161, 162, 163, 163, 165, 170, 171, 178, 180, 186, 189, 192, 200, 204, 206, 211, 218, 224, 226, 227, 227, 227, 227, 228, 228
Excused.. 119
Bills introduced by..95, 100, 113, 113

PAGE.

COMMITTEES.—

- on credentials........ 3
- of three to request secretary to administer oath of office to members........ 4
- of two to request secretary to administer oath of office to officers........ 6
- of three to inform the house that council is organized........ 6
- of two to wait upon the secretary in reference to postage........ 8
- of two to wait upon secretary and request him to administer oath of office to clerks and pages........ 9
- of two to wait on Governor and inform him that the council was organized 9
- of two to confer with house committee on joint rules........ 99
- of two to revise the laws........ 99
- of two to confer with house committee........ 14
- of three on C. F. No. 28, defining liabilities of common carriers........ 131
- of two on C. F. No. 31, to vacate streets, alleys &c., in city of Brownville, 135
- of two to confer with house committee in relation to joint rules........ 148
- of three on C. F. No. 25, to provide for enrolling, organizing, calling into service and paying militia........ 158
- of two on C. F. No. 43, memorial and joint resolution relative to department of plains........ 188
- of three on H. F. No. 85, to amend act incorporating city of Florence...... 190
- of two on C. F. No. 46, to authorize the refunding of the indebtedness of Nebraska City........ 195
- of three on H. F. No. 105, to allow the city council of Desoto to keep a ferry across the Missouri river in Washington county........ 199, 203
- of three on H. F. No. 115, to repeal act allowing sheep to run at large in Decatur precinct, Burt county........ 200
- of two on H. F. No. 163, to incorporate Lancaster ceminary........ 203
- of one on H. F. No. 93, to repeal the charter and corporation of Fall city, in the county of Richardson........ 214
- of two on H. F. No. 116, supplimentary to an act to locate a territorial road from Plattsmouth, in Cass county, to the Salt Basin, in Lancaster county........ 214
- of one on H. F. No. 118, to locate a territorial road from Brownville to intersect road leading from Nebraska City to Fort Kearney........ 214
- of two to wait upon the Governor........ 233
- of three from the house........ 234

GRIFFEY, THOS. L.—

- presented credentials........ 4
- appointed on committees........8, 8, 8, 94, 158, 199, 200
- bills introduced by........110, 142, 158, 225
- reports submitted by........160, 183
- absent........174, 195, 209, 220, 221
- motions, notices and resolutions, 93, 93, 94, 100, 134, 143, 143, 147, 164, 194, 194, 194, 200, 210, 211, 219, 225
- excused........174, 203, 211

PAGE.

GAMBLE, SAM'L.—
elected sergeant-at-arms.......... 5
oath of office administered.......... 6
made report.......... 202
resolutions of thanks.......... 229

GOVERNOR.—
annual message from the..........11,-19
on Indian war.......... 12
on pay of militia.......... 13
on our finances.......... 18
on families of soldiers.......... 14
on adjutant general's report.......... 14
on territorial library.......... 14
on homesteads.......... 14
on general herd law.......... 15
on freedmen of the war.......... 15
on penitentiary.......... 16
on militia law.......... 16
on Pacific R. R.......... 17
on hasty legislation.......... 17
on state government.......... 18

messages to the council from the.—
secretary's arrangements for franking mail matter.......... 9
on council file No. 8, regulating the distribution of laws and journals (approving).......... 126
on council file No. 4, changing the time of returning venires of petit jurors (approving).......... 126
memorial and joint resolutions for relief of Nebraska militia, (approving) 132
on council file No. 12, to confirm titles of Thos. Martin and J. N. Coriell, (approving).......... 132
on council file No. 11, to establish a road from Plattsmouth, (approving) 132
on receipt of the laws and journals of 9th session.......... 139
cause of delay of distribution.......... 140
on council file No. 2, to provide for payment of Nebraska militia, (appr'g) 147
on council file No. 21, to legalize the assessment and levying of taxes in certain counties, (approving).......... 163
communication from secretary on departure of the Governor..........169, 170
communication from acting Governor..........169, 170
on council file No. 31, to vacate streets and alleys in city of Brownville (approving).......... 191
on council file No. 19, to incorporate Masonic and Odd Fellows Hall Co., (approving).......... 191
on council file No. 32, to authorize election of assessors in certain counties, (approving).......... 191
on council file No. 33, to amend an act to regulate the disposal of townsites, (approving).......... 191

PAGE.

messages to the council from the—continued.
- on council file No. 1, (H. F. No. 101,) to provide for the insane of Neb. (disapproving) 198
- communication from 198
- on council file No. 3, respecting official bonds and oaths, (approving) 206
- on council file No. 36, to legalize election of officers in Desoto, (approving) 206
- on council file No. 27, to designate time for electing territorial officers, (approving) 206
- on council file No. 23, to provide for funding warrants in Otoe county, (approving) 217
- on council file No. 15, to revise acts relative to Omaha and other purposes, (approving) 217
- on council file No. 24, to incorporate Columbus, (approving) 217
- on council file No. 37, to vacate town site of Plattsford, (approving) 217
- on council file No. 41, joint memorial and resolution respecting insane assylum, (approving,) 217
- on council file No. 25, to provide for enrolling and paying Nebraska militia, (approving) 231
- on council file No. 50, to incorporate South Nebraska Railroad Company, (approving) 231
- on council file No. 27, to amend chapter 12 to revise laws of second session (approving) 221
- on council file No. 16, to regulate appointment and duties of receivers, (approving) 132
- on council file No. 40, to amend act to consolidate Nebraska City, South Nebraska City and Kearney, (approving) 132
- on council file No. 34, supplemental to an act to incorporate Dakota (approving) 233
- on council file No. — to provide for revising laws of Nebraska, (apprv'g) 233
- on council file No. 49, relative to competency of witnesses, (approving) 233
- on council file No. 52, for relief of Louisa O. Worden, (approving) 233

HOUSE, MESSAGES FROM THE—
- reporting organization 9
- committee of three, to wait upon the Governor 9
- inviting council within house to hear Governor's message 10
- on council file No. 8, to amend an act, regulating the distribution of laws and journals 111
- on council file No. 6, memorial and joint resolutions for the relief of the Nebraska militia 111
- on council file No. 6, last amendment insisted on 112
- appointment of committee on disagreement of the two houses on council file No. 6 118
- adoption of report of committee on council file No. 6 121
- on council file No. 11, to locate road from Plattsmouth intersecting 123
- on council file No. 12, to amend act to confirm title of Thos. Martin 123
- on council file No. 2, to provide for payment of Nebraska militia 187

PAGE.

HOUSE, MESSAGES FROM THE—*continued.*
on council file No. 21, to legalize the assessment and levying of taxes in certain counties 143
committee of three, to consider preamble of state of Kansas 158
amendment of council concurred in to house file no. 13 158
on council file No. 31, to vacate streets and alleys in Brownville 161
on council file No. 19, to incorporate Odd Fellows Hall Company in Plattsmouth 166
on council file No. 33, to amend act to regulate town-sites 181
on council file No. 3, respecting official bonds and oaths 181
on council file No. 32, to authorize election of assessors in certain counties 181
on council file No. 27, to designate time to elect auditor and treasurer 190
amendments of council concurred in to house files Nos. 52 and 64 190
announcing appointment of committee of three to regulate militia 190
on council file No. 15, to revise and consolidate several acts relative to Omaha 197
on council file No. 23, to provide for funding warrants in Otoe county 197
on council file No. 24, to incorporate Columbus 197
on council file No. 36, to legalize the election of officers of Desoto 197
on council file No. 16, to regulate appointment and duties of receiver 197
on council file No. 37, to vacate townsite of Plattsford 205
on council file No. 41, joint memorial and resolutions respecting insane asylum 205
on joint resolution, relative to reappointment of Governor and Secretary 213
on council file No. 33, substitute for an act revising laws 213
on council file No. 34, supplementto an act to incorporate Dakota 213
on council file No. 40, to amend act to consolidate Nebraska City and and Kearney 213
amendment concurred in on house file No. 39 213
on council file No. 5, to regulate taxes 214
on council file No. 30, to revise school act 217
on council file No. 46, to authorize city council of Nebraska City to refund 217
on council file No. 45, to amend act to allow funding territorial indebtedness 218
on council file No. 48, provisions for insane 218
amendments concurred in to house files Nos. 105 and 124 218
on council file No. 49, relative to the competency of witnesses 220
on house file substitute for council file no 5 220
on council file No. 25, to provide for enrolling and paying Nebraska militia 227
on council file No. 27, to amend chapter 12 to revise the laws of second session 227
amendments concurred in to house file Nos. 5 and 6 229
on council file No. 50, to incorporate South Nebraska Railroad Company 229
on council file No. 52, relief of Louisa O. Worden 230
on council file No. 35, relative to real property 232
on council file No. 51, for relief of Simon De Witt 232
amendment concurred in to substitute for house file No. 143 232

PAGE.

HOUSE, BILLS REPORTED FROM THE—
- house file No. 3, to locate a territorial road from toll bridge on Little Nemaha, to Roy's ferry on Big Nemaha 105, 107, 107
- house file No. 2, to authorize Wm. Kline and others to keep mill-dam, 105, 225, 226, 230
- house file No. 8, to locate road from West Point to Ponca...............105, 107
- house file No. 4, to authorize Hugh Coate and others to keep mill-dam 110, 111, 134, 136
- house file No. 7, to legalize organization of Jones county.....110, 111, 115, 117
- house file No. 42, joint resolution and memorial for Department of the Plains..112, 112
- house file No. 10, to confirm elective franchise to citizens on Iowa and Sac reservation.............................117, 119, 210, 121, 125, 127, 130, 143
- house file No. 35, to amend herd law of Cuming City precinct, 117, 119, 141, 142
- house file No. 16, to amend section 310 of code of civil procedure, 117, 118, 125, 127
- house file No. 11, to amend an act to provide for elections....121, 122, 125, 126
- house file No. 12, to authorize Z. James Parsons and others to keep ferry 121, 122, 134, 136
- house file No. 14, granting Christopher Maloney ferry charter, 121, 122, 134, 136
- house file No. 15, to apportion member for Hall, Buffalo, and Merrick counties and disconnect from Platte..........................121, 122, 131, 132
- house file No. 33, to provide for revising laws of Nebraska, 121, 123, 145, 147, 159
- house file No. 18, to amend act defining duties of county surveyors, 123, 123, 125, 127
- house file No. 29, to authorize Samuel Walsh and others to keep ferry, 123, 123, 134, 136
- house file No. 38, to attach a portion of Polk county to Platte,....123, 123, 132
- house file No. 13, to provide for protection of sheep...126, 141, 142, 146, 147
- house file No. 37, to change road from Rulo to Blue Springs......126, 135, 138
- house file No. 40, to locate territorial road.. ....126, 135, 138
- house file No. 45, supplementary to an act to incorporate Arago, 126, 134, 139
- house file No. 19, to authorize Solomon Gold to erect mill-dam, 130, 130, 134, 136
- house file No. 46, to incorporate Allemannen Lodge No. 8, I. O. O. F. 130, 130, 134, 138
- house file No. 48, to authorize Christian Newman to erect mill-dam, 130, 130, 135, 137
- house file No. 70, to disqualify certain persons from holding office, 137, 141, 142, 142
- house file No. 22, to provide for protection of crops in Cedar, Dixon and Dakota...143, 144, 146, 147
- house file No. 43, to authorize Mary Barothy to keep mill-dam, 143, 144, 160, 164

PAGE.
house file No. 50, to legalize actions of Jacob Beyer and others, 143, 144, 166, 168, 180, 181
house file No. 62, to continue the organization of L Eau Qui Court county 143, 145, 148
house file No. 64, supplementary to incorporate Rulo, 143, 145, 160, 164, 176, 176, 190
house file No. 68, to repeal certain provisions incorporating South Nebraska Railroad Company......143, 145, 150, 158
house file No. 58, to incorporate Platte Lodge No. 7, I. O. O. F. Plattsmouth......144, 160, 163, 179, 189, 198
house file No. 52, to provide for taxing hogs......161, 163, 168, 170
house file No. 55, to locate road from Wyoming, 161, 168, 166, 179, 176, 181
house file No. 90, to incorporate Rock Bluff Lodge, I. O. O. F., 161, 163, 175, 178
house file No. 92, to repeal an act restraining swine in Richardson county, 161, 163, 176, 178
house file No. 97, joint resolution returning thanks to certain companies of Nebraska Militia......161, 161
house file No. 101, (substitute for C. F. No. 1,) to make provisions for insane......166, 178
house file No. 20, to levy school tax in Sarpy county......166, 168, 175, 176
house file No. 28, to empower board to build school-house in Cass county, 166, 168, 175, 176
house file No. 30, authorizing Fordyce Roper and others to erect mill-dam 166, 168, 175, 177, 189, 190
house file No. 47, to establish road from Ponca to Elm Grove, 166, 168, 175, 178
house file No. 53, to authorize D. C. Jenkins to build toll bridge, 166, 168 175, 178
house file No. 54, to amend an act for relief of paupers......166, 167, 175, 178
house file No. 71, to attach Saunders county to Cass......166, 167, 179, 181
house file No. 75, to restrain cattle in St. Johns precinct......167, 167, 176, 178
hhouse file No. 76, to provide for incorporating Johnson county seminary, 167, 167, 176, 177, 179, 181
house file No. 77, to amend an act for settlement of estates of decedents, 167, 167, 183, 185
house file No. 5, to restrain swine in Cumming county......174, 179, 188, 188
house file No. 81, an act to open coal mines......174, 179, 183, 185
house file No. 85, to amend act to incorporate Florence, 174, 176, 179, 189, 193, 201, 203
house file No. 94, authorising Henry Thomson and others to keep dams, 174, 177
house file No. 27, to regulate ferries in Dacota and other cohnties, 181, 182, 183, 184
house file No. 61, to authorize Wm. A. Tafflmire and Martindale to erect mill-dam......181, 182, 189, 192
house file No. 65, to amend act to incorporate Falls City......181, 182, 189
house file No. 83, providing for special elections in Kearney county, 181, 182 183, 185,

PAGE.

HOUSE. Bills Reported from—*continued.*
- house file No. 91, changing name of James R. Case.........181, 182, 183, 185
- house file No. 98, authorizing Geo. Tucker to erect mill-dam, 181, 182, 189, 192
- house file No. 99, to locate road from Ft. Calhoun to Fontenelle, 181, 189, 181, 188
- house file No. 39, to regulate practice and proceedings in chancery, 190, 193, 203
- house file No. 49, to provide for stray law......190, 193, 201, 204, 207, 209, 212
- house file No. 69, to encousage agriculture and raising timber, 190, 193, 223, 223
- house file No. 32, to dissolve bonds of matrimony of Geo. and Louisa O. Worden..........197, 199, 207, 209
- house file No. 57, to further define duties of county treasurers, 197, 199, 201, 202
- house file No. 60, to amend an act relative to insurance companies, 197, 199, 203
- house file No. 63, to incorporate Lancaster seminary, 197, 199, 202, 203, 208, 201
- house file No. 66, to authorize the formation of companies....197, 199, 207, 209
- house file No. 88, to attach the Sac reservation to Richardson county, 197, 199, 201, 203
- house file No. 96, to encourage the growth of timber..............197, 199, 207, 210
- house file No. 103, to authorize N. H. Carter to make toll road, 197, 199, 209, 210
- house file No. 104, to authorize John Oak to erect mill-dam, 197, 199, 210, 212
- house file No. 105, to allow city council of Desoto right to keep ferry, 197, 199, 201, 203, 204
- house file No. 112, to amend act creating precinct assessor, 197, 199, 201, 202
- house file No. 114, to amend act to restrain sheep...............198, 200, 201, 203
- house file No. 115, to repeal act allowing sheep in Decatur...198, 200, 212, 222
- honse file No. 74, (substitute for H. F. 74) to locate road from Forrest city, 205, 206, 209, 210
- house file No. 80, to vacate portion of Salem..................205, 206, 207, 208
- house file No. 86, to incorporate Loup Fork Bridge Company, 205, 206, 212, 215, 216
- house file No. 120, to restrain stock in certain counties.........205, 286, 223, 223
- house file No. 121, to open and drain coal mines..................205, 206, 215, 216
- house file No. 124, relating to commerce on plains..............205, 206, 208, 209
- house file No. 130, to amend an act restraining stock in Clay, Lancaster and Seward counties..........208, 208, 216, 217
- house file No. 131, making stock liable in Saunders county.........208, 208, 211
- house file No. 67, to locate road from Simpson's landing to Logan Mills 213, 214, 216
- house file No. 93, bill to repeal acts incorporating Falls City............213, 214
- house file No. 102, (substitute for H, F. 82,) to legalize certain acts of commissioners..........213, 214
- house file No. 116, to locate road from Plattsmouth west......213, 214, 224, 225
- house file No. 117, to restrict the powers of commissioners...213, 214, 215, 216
- house file No. 118, to locate road from Brownville to Kearney, 213, 214, 216, 228

PAGE.

HOUSE, BILLS REPORTED FROM THE—*continued.*
- house file No. 133, to amend an act to estabilsh board of agriculture, 214, 215, 223, 223
- house file No. 123, (substitute,) to restrain bulls in Cedar, Dixon, Dakota and Pawnee........213, 214, 216, 217
- house file No. 132, (substitute,) to establish board of agriculture........214, 215
- house file No. 56, to regulate salaries and fees of certain officers, 218, 219, 220, 224
- house file No. 111, to confirm elective franchise to persons on Omaha and Pawnee reserves........218, 218, 221, 225, 226
- house file No. 122, to vacate block 102 in Ponca........218, 218
- house file No. 129, to amend sec. 10 of act to provide for elections, 218, 219, 221
- house file No. 134, to apportion and define councilmen districts, 218, 218, 224, 225
- house file No. 135, to restrain stock in Pawnee........218, 219, 223, 223
- house file No. 137, creating office, and defining duties of librarian, 218, 219, 221, 225
- house file No. 238, (substitute for H. F. No. 26,) to regulate appointment of notary public........218, 219, 221
- house file No. 59, to confer further power on county commissioners, 221, 222
- house file No. 79, (substitute,) to restrain stock in Pawnee........221, 222
- house file No. 141, for relief of Alonzo V. Porter........221, 222
- house file No. 139, to restrain stock in Douglas........221, 222
- house file No. 119, to provide for assessment of property and other purpose 221, 222, 224, 233
- house file No. 140, to regulate schools in Wyoming City........221, 222
- house file No. 142, to vacate an alley in Salem........227, 227
- house file 143, (substitute,) making appropriations for legislative expenses 230, 231
- house file No. 144, joint resolution relative to county treasurers........230, 232
- house file No. 145, (substitute,) to provide for valuation and assessment of personal property........132

HOLLADAY, A. S.—
- presented credentials........4
- appointed on committees........3, 6, 8, 8, 8, 8, 8, 8, 9, 94, 97, 99, 164, 169, 199, 203, 214
- petitions presented by........124
- bills introduced by........94, 97, 100, 113, 135
- reports submitted by, 95, 100, 103, 104, 106, 108, 110, 117, 120, 126, 131, 135, 141, 145, 146, 146, 148, 149, 183, 184, 187, 193, 206, 207, 208, 211, 212, 215, 215, 224, 227, 230
- absent........183, 220
- motions, notices and resolutions, 3, 3, 3, 4, 5, 5, 7, 7, 8, 8, 10, 93, 94, 06, 97, 98, 98, 98, 99, 100, 103, 105, 106, 107, 109, 111, 115, 124, 129, 136, 137, 138, 138, 145, 146, 158, 159, 164, 168, 170, 182, 186, 186, 192, 194, 201, 202, 203, 215, 222, 225, 226, 229, 230, 230, 230, 232

PAGE.

KENNEDY, B. E. B.—
- presented credentials........ 4
- appointed on committees........ 6, 8, 8, 8, 9, 99, 148, 188
- bills introduced by........ 100, 104, 111, 195, 200, 202
- reports submitted by, 99, 106, 106, 114, 115, 117, 120, 121, 121, 124, 125, 127, 131, 132, 133, 135, 142, 144, 145, 147, 159, 160, 166, 179, 184, 200, 202, 207, 212, 211, 215, 220, 233
- absent........ 93
- chairman of committee of the whole, 114, 117, 121, 124, 127, 132, 133, 144, 147, 184, 212
- motions, notices and resolutions, 3, 3, 4, 4, 5, 5, 5, 5, 7, 7, 7, 8, 9, 88, 92, 93, 94, 100, 101, 107, 118, 118, 119, 119, 121, 121, 122, 124, 126, 127, 128, 130, 130, 132, 133, 136, 136, 136, 137, 137, 142, 142, 145, 148, 159, 159, 159, 163, 164, 165, 165, 170, 170, 170, 170, 171, 177, 177, 177, 177, 179, 180, 185, 187, 188, 196, 201, 203, 204, 209, 210, 211, 216, 216, 222, 228, 228, 228, 228, 229, 229, 233, 233

McCASLAND, J. N.—
- presented credentials........ 4
- appointed on committees........ 8, 8, 8, 8, 164, 169, 200
- petitions presented by........ 115, 165
- reports submitted by........ 180, 188, 207
- absent........ 187, 230
- motions, notices and resolutions, 5, 96, 97, 109, 124, 125, 137, 139, 169, 189 209, 215

MASON, O. P.—
- presented credentials........ 4
- elected president of council pro. tem........ 3
- elected president........ 4
- appointed on committees........ 177, 195, 200
- bills introduced by........ 167, 184
- reports submitted by........ 180
- absent........ 124
- motions, notices and resolutions........ 121, 177, 230

MILLER, J. G.—
- presented credentials........ 4
- appointed on committees........ 4, 5, 6, 8, 8, 8, 8, 8, 135, 177, 203, 214
- petitions presented by........ 99, 174, 179
- bills introduced by........ 180, 195
- reports submitted by........ 97, 146, 170, 175, 179, 180, 182, 202, 208, 224
- chairman of committee of the whole........ 170, 180
- absent........ 124, 131, 187, 206, 220
- motions, notices and resolutions, 4, 99, 112, 114, 114, 114, 118, 119, 149, 163, 165, 165, 165, 171, 171, 173, 180, 188, 189, 194, 196, 196, 196, 203, 203, 204, 205, 209, 210 212, 216, 225, 229, 231

PAGE.

PORTER, JOHN R.—
- presented credentials.... 4
- appointed on committees....3, 4, 5, 6, 8, 8, 8, 8, 10, 131, 158
- reports submitted by....4, 132, 133, 146, 147, 149, 168, 175, 201, 209, 215
- chairman of committee of the whole...98, 100, 106, 132, 133, 147, 190, 209, 215
- Absent....131, 195
- motions, notices and resolutions, 3, 4, 5, 5, 98, 101, 108, 113, 125, 136, 138, 158, 162, 169, 177, 177, 186, 186, 186, 187, 187, 188, 189, 190, 193, 193, 194, 203, 207, 215, 217, 221, 222, 226, 226, 229, 230, 232, 233,
- bills introduced by....111, 116, 129, 163, 167

MORGAN, WM. W.—
- elected assistant clerk.... 5
- oath of office administered.... 6
- resolutions of thanks.... 228

JUDSON, PHILO.—
- elected fireman.... 5
- oath of office administered.... 6
- resolutions of thanks.... 229

POWELL, ARCHIE.—
- elected page.... 5
- resolutions of thanks.... 229

ULREY, CHAS.—
- elected page.... 6
- resolutions of thanks.... 229

PADDOCK, A. S.—
- resolutions of thanks.... 29
- administer oath of office.... 69
- communication from.... 9

RULES OF COUNCIL.—
- adopted.... 6
- joint rules of the council and house.... 102
- committee from the house....9, 10, 234

KUHNS, REV. HENRY.—
- elected chaplain.... 6
- resolutions of thanks to.... 228

MILLER, WM. H.—
- elected engrossing clerk.... 8
- oath of office administered.... 9
- resolutions of thanks to.... 229

YOST, CASPER.—
- elected enrolling clerk.... 8
- oath of office administered.... 9
- resolutions of thanks.... 228